

TOWN OF EASTHAM ANNUAL TOWN MEETING, MAY 7, 2018

**TOWN OF EASTHAM
ANNUAL TOWN MEETING WARRANT
WITH FINANCE COMMITTEE REPORT AND RECOMMENDATIONS**

**TOWN MEETING
MAY 7, 2018
7:00 P.M.
NAUSET REGIONAL HIGH SCHOOL GYMNASIUM
100 Cable Road, North Eastham, MA**

**ANNUAL TOWN ELECTION
MAY 15, 2018
POLLS OPEN 7:00 A.M. - 8:00 P.M.
EASTHAM TOWN HALL
2500 STATE HIGHWAY
EASTHAM, MA**

**Special Pre-Town Meeting for Presentation/Discussion of Articles
Wednesday, April 25, 2018
6:00 P.M.
Eastham Public Library**

Please bring this warrant to Town Meeting

Warrant also available on the town website www.eastham-ma.gov

TOWN OF EASTHAM ANNUAL TOWN MEETING, MAY 7, 2018

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TOWN OF EASTHAM ANNUAL TOWN MEETING, MAY 7, 2018

TOWN OF EASTHAM ANNUAL TOWN MEETING WARRANT

Commonwealth of Massachusetts
Barnstable, ss. ~

To: Either of the Constables of the Town of Eastham
In the County of Barnstable

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town affairs to meet at the Nauset Regional High School Gymnasium, Monday, the seventh day of May, Two Thousand and Eighteen, at Seven o'clock in the evening, then and there to act on the following articles in this Warrant and to meet in the Eastham Town Hall at 7:00 a.m. Tuesday, the fifteenth day of May next, then and there to elect the following Town Officers:

Board of Selectmen	One three-year term (Vote for one)
Library Trustee	One three-year term (Vote for one)
Housing Authority	One five-year term (Vote for one)
Elementary School Committee	One three-year term (Vote for one)
Nauset Regional School Committee	One three-year term (vote for one)

and to act on the following questions:

QUESTION 1

Shall the Town of Eastham be allowed to exempt from the provisions of proposition two and one half, so called, the amount required to pay for the bonds issued for costs associated with continuation of the wastewater engineering and testing for alternative systems for Salt Pond remediation, a grant match for the Salt Pond drainage improvements, and to mitigate the effects of pollution on Schoolhouse and Minister's Pond, including all costs incidental or related thereto?

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QUESTION 2

Shall the Town of Eastham be allowed to exempt from the provisions of proposition two and one-half, so-called, the amount required to pay for the bonds issued for costs associated with the Rock Harbor Improvement Plan - Phase I, including replacement, construction and improvements to the Rock Harbor Marina area, docks, pilings, floats, the Harbormaster building, parking, improved access to commercial docks, water, electrical, all related engineering and permitting costs, and all other costs incidental and related thereto?

QUESTION 3

Shall the Town of Eastham be allowed to exempt from the provisions of proposition two and one-half, so-called, the amount required to pay for the bonds issued for costs associated with replacement of the police station roof and renovation of the locker rooms, kitchen, and training rooms, and all architectural and planning costs related to this renovation, and all other costs incidental or related thereto?

QUESTION 4

Shall the Town of Eastham be allowed to exempt from the provisions of proposition two and one-half, so called, the amount required to pay for the bonds issued for costs associated with funding the engineering study and obtaining permits to dredge Nauset Estuary, including all costs incidental and related thereto?

POLLS OPEN 7:00 A.M. AND CLOSE AT 8:00 P.M

TOWN OF EASTHAM ANNUAL TOWN MEETING, MAY 7, 2018

REPORT OF THE FINANCE COMMITTEE

The role of the Eastham Finance Committee under our Town Charter is to provide recommendations to the citizens of the Town on articles and questions presented in the Town Warrant. The committee considers each warrant question and article carefully, seeking and receiving input from appropriate committees, consultants, departments, and interested parties before discussing each issue and reaching our conclusions. We encourage the public to attend our meetings, which are posted on the Town's website and in the Town Clerk's office.

The items in this year's warrant which the Finance Committee thought it appropriate to bring to the taxpayer's attention includes line item 44 within Article 12 (the Municipal Operating Budget), and Articles 15, 16, 17, 24, 25, 26 & 39. Additionally, Article 7 deserves special mention.

Article 7 (vote 6-0-0 for approval) concerns the Town's stabilization fund, which is used for emergencies, tax stabilization, and the improvement of the Town's overall bond ratings. Town administration has set a goal to achieve a balance of \$1,000,000 in the fund and the team has made excellent progress in reaching that goal. The fund has increased from \$57,000 at the end of FY17 to a current balance of \$407,000. Great work!

Article 12, line item 44, which relates to Assessments for the Nauset Regional School System and is associated with air conditioning at the middle school auditorium, was rejected by the committee (vote 3-4-0). It was felt that the utilization of school funds for expenses not associated with the education of students was inappropriate.

Articles for Wastewater, Article 15, (vote 7-0-0 for approval), Rock Harbor, Article 16, (vote 5-2-0 for approval) and the Police Station, Article 17, (vote 6-1-0 for approval) are all capital expenditure items which require a proposition 2 ½ debt exclusion. The committee felt these were all worthwhile projects, but is concerned relative to the amount of additional debt that will be incurred by them over and above existing financing for the library, town water project, and upcoming liabilities for the new Cape Cod Tech School and Nauset High School projects. At \$470,000 for Wastewater, \$1,300,000 for Rock Harbor and \$600,000 for the Police Station, annual property taxes could increase by an estimated \$10, \$28, and \$12 respectively (estimates are based on \$400,000 median home value with a 10-year borrowing assumption) and we wanted citizens to be aware of the potential impact.

Minimizing tax increase is a primary goal of town administration and the Finance Committee. Articles 24, 25 & 26 (all voted 7-0-0 for approval) are revenue generating articles and important in that endeavor. Article 24, Marijuana Tax, is expected to generate revenues of 3% on the total sales price of recreational use marijuana. Though we don't have an estimate of what sales will be, we believe this will be a significant amount of money. Article 25, Meals Tax, is projected to generate \$130,000 per year in additional revenue and Article 26, Property Leasing, \$80,000-\$100,000 per year.

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Article 39 relates to the dredging of the Nauset Estuary. The Finance Committee is supportive of this project and the needs of the local fishing industry but voted 1-6-0 against supporting this project at the funding level requested. We would be amenable to voting for it at a lesser monetary amount.

Respectfully Submitted,

Gerald Cerasale, Chair
Arthur Autorino, Vice Chair
Peter Wade
Russ French
Tom Gardner
John Knox
Fred Guidi
Jana Drake
Mary Shaw
Brendan Hamaty, Student Intern

ARTICLE 1 (GREENHEAD FLY CONTROL)

To see if the Town will vote to raise and appropriate or transfer from available funds \$2,400 for Greenhead Fly Control as authorized by G.L. C.252 §24, and authorize the Town Treasurer to pay said appropriation into the State Treasury; or take any action relative thereto.

By Board of Selectmen

Summary:

This is a standard article to appropriate money to pay the Town's share of the Greenhead Fly Control Program.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 2 (DEP LIABILITY)

To see if the Town will vote to assume liability in the manner provided by Sections 29 and 29A of Chapter 91 of the General Laws, as most recently amended for all damages that may be incurred by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshore and shores along a beach, in accordance with Section 11 of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth of Massachusetts; or take any action relative thereto.

By Board of Selectmen

Summary:

All Massachusetts municipalities indemnify the DEP for work in the local communities with this standard article.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 3 (NAUSET REGIONAL SCHOOL FUNDING AGREEMENT)

To see if the Town will vote to accept the provisions of G. L. C.71, §16B, which would reallocate the sum of member towns' contributions to the Nauset Regional School District in accordance with the Regional Agreement rather than the Education Reform Formula, so-called; for fiscal year 2020; or take any action relative thereto.

By Nauset Regional School Committee

Summary:

This article will apportion the Nauset Regional School Assessments for FY20 to the four member towns based on their proportionate enrollment within the school district. This is the method provided within the Regional School District Agreement approved by the four towns establishing the Nauset Regional School District, and has been applied in each of the last ten years by town meeting vote.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 4 (VISITORS SERVICES BOARD)

To see if the town will vote to appropriate and transfer the sum of **\$12,000** from Fiscal Year 17 Hotel Motel Excise Tax (free cash so called), in accordance with Annual Town Meeting Article 26, May 4, 1998, to the Eastham Promotions Fund to be expended by the Visitors Services Board on the following items: Landscaping, lighting, holiday decorations and general improvements on Windmill Green, Flower Island support, Summer concerts; or take any action relative thereto.

By Visitors Tourism & Promotion Services Board

Summary:

This is an annual article to fund activities of the Visitors Services Board to enhance and promote tourism in the Town including the summer concert series and other events.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 5 (CHAMBER OF COMMERCE GRANT)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$16,000** to be given to the Eastham Chamber of Commerce as a grant to help support operations of the Information Booth; or take any action relative thereto.

By Board of Selectman/Chamber of Commerce

Summary:

Annually the Town has supported a grant to the Chamber of Commerce to assist in paying for the operation of the Information Booth. This money is used primarily for staff salaries. The Town continues to provide maintenance services and utilities to this town owned property.

BOARD OF SELECTMEN RECOMMENDATION: 4-0-1

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 6 (OPEB TRUST RESERVE)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$50,000** to the Trust Fund for Other Post-Employment Benefits (OPEB) as provided under Chapter 40, Section 5B of the General Laws to be reserved for appropriation for the purpose of funding future post-employment benefits, other than pensions; or take any action relative thereto.

By Board of Selectmen

Summary:

This article seeks to appropriate funds to add to the trust fund reserved for future post-employment benefit costs (OPEB), which was established by Town meeting in May 2014. The current balance in the account is **\$152,821**. The Town has joined with other municipalities in a Plymouth County Municipal Trust that manages and invests the funds deposited by all participants.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 7 (STABILIZATION FUND)

To see if the Town will vote to transfer from available funds the sum of \$50,000 to the Stabilization Fund, established under Massachusetts General Laws, Chapter 40, Section 5B; or take any action relative thereto.

By Board of Selectmen

Summary:

This article seeks to set aside money into the Stabilization Fund or savings account for the Town. The fund had \$57,000 at the end of FY17 and currently has **\$407,000**. The goal of the Board of Selectmen and Town Administrator is to continue to request transfers into this fund until it reaches a minimum of \$1,000,000 in order to have funds available for emergencies, future tax rate stabilization, and a better bond rating. This is a restricted reserve fund. In order to spend money from this reserve fund Town Meeting must authorize the expenditure by a 2/3 vote.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 8 (FY18 TRANSFERS)

To see if the Town will vote to transfer from available funds and appropriate \$150,000 to various accounts for meeting the remaining expenses for Fiscal Year 2018; or take any action relative thereto.

By Board of Selectmen

Summary:

This article authorizes fund transfers to cover anticipated shortfalls in specific line items of the current year budget. The motion made at Town Meeting will identify all of the actual transfer amounts and define the purpose of each.

BOARD OF SELECTMEN RECOMMENDATION: *Vote waiting for final transfer needs & amounts*

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

ARTICLE 9 (ELECTED OFFICIALS SALARIES)

To see if the Town will vote to fix the salary and compensation of all elected officials of the Town as provided by Section 108, Chapter 41, General Laws, as amended, and to raise and appropriate or transfer from available funds the following sums of money for salaries:

Moderator	\$ 500
Town Clerk	\$72,835
Selectmen (5) 2,500 each	\$12,500
Total	\$85,835

or take any action relative thereto.

By Elected Officials

Summary:

The Town Clerk salary has been adjusted by a cost of living increase/step raise similar to union and non-union staff this year. All other salaries in this article are level funded.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

ARTICLE 10 (TOWN CLERK POSITION)

To see if the Town will vote pursuant to the provisions of G.L. c.43B, §10 to amend the Town of Eastham Home Rule Charter to change the position of Town Clerk from elected to appointed, as follows:

1. Delete §C3-8C which currently provides: "A Town Clerk shall be elected for a term of three years at an annual Town election"; and renumber the remaining sections of Chapter 3 accordingly.
 2. Revise §C4-4 by inserting the underlined text, as follows: "The Town Administrator shall appoint, on the basis of merit and fitness alone, and may remove, except as otherwise provided by General Laws, this Charter, personnel bylaws, or collective bargaining agreements that may be applicable, a Town Clerk, Town Treasurer/Collector, a Police Chief, a Fire Chief, a Town Accountant, and all other department heads, officers, subordinates and employees, full- and part-time"
 3. Insert as a new §C8-2 the following transitional provision: "Upon the effective date of the amendments to the Town Charter approved under Article 11 of the 2018 Annual Town Meeting, the position of elected Town Clerk shall be abolished and the term of the elected incumbent terminated; provided, however, that the incumbent elected town clerk then holding office shall serve as the first appointed town clerk for a period equivalent to remainder of the elected term or said clerk's sooner resignation, retirement or removal for cause. Thereafter, the Town Clerk shall be appointed by the Town Administrator pursuant to §C4-4 of the Charter.
- Or to take any further action relative thereto.

By Board of Selectmen

Summary:

This article if accepted, will change the Town Clerk position from an elected to an appointed position. The appointment would be made by the Town Administrator as are other department heads in the Town. This provision would not take effect until the expiration of the term of the current Town Clerk. This article is similar to one that changed the Treasurer/Collector from an elected to an appointed position in 2010.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(2/3 Majority vote required)

ARTICLE 11 (400 COMMEMORATION COMMITTEE)

To see if the Town will vote to transfer from available funds the sum of \$10,000 to assist Eastham 400 Commemoration Committee (Eastham 2020 Committee) in preparing programs, purchasing supplies, printing, and carrying out duties related to the planning and fund raising for the commemoration of the 400th anniversary of the first landing; and further that said funds shall be authorized to be spent by the Town Clerk acting as Town liaison; or to take any action relative thereto.

By Board of Selectmen

Summary:

The Town would like to join the other Outer Cape Towns in planning for the 400th year commemoration of the first encounter/landing. As Eastham has a very special role to play in this historical event, we would like to work with the Chamber and larger community to create and host programs that are informative, educational, and also respectful of the Native American experience.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

ARTICLE 12 (OPERATING BUDGET)

To see if the Town will vote to act on the operating budget, including recommendations and reports of the Selectmen, Finance Committee and other Town Officials, and to see if the Town will vote to raise and appropriate or transfer from receipts reserved, and other available funds and accounts, the sum of \$28,394,826

and further to transfer from the dog receipts reserved (free cash so called) the additional sum of \$2,500 to the Library, line item 65; or take any action relative thereto.

By Board of Selectmen

Summary:

Article 12 contains the operating expenses for all the municipal departments including all three schools, (Eastham Elementary, Cape Cod Regional Technical High School, and the Nauset Regional School District).

- ✓ It does not require an override;
- ✓ It provides for the continuation of current service levels;
- ✓ It provides enhanced service levels in public safety (both fire and police) the recreation department (new position) and human services (new program);
- ✓ It creates a new service category in the budget for water system operations;
- ✓ It continues to support the Selectmen's goal of strengthening the Town's reserves and financial capacity.

The Town's operating budget totaled \$ 27,040,843 in FY18. This year it is presented at \$28,394,826, an increase of \$1,353,983 or 5.1%. This includes the debt service payments for the new water system and other capital projects and 25% of the cost of the four new firefighters. There are also new services included in this growth, such as water operations \$340,869, which shows as expense in this budget but will be off-set by corresponding revenue from users. Overall the system should be self-sustaining and potentially create revenue for the operating budget in future years. In addition, in Culture and Recreation, we have added expenses for the new library as well as an additional new position for the recreation department. The \$25,000 new expense in Human Services is a shared program with the Towns of Truro and Wellfleet to provide case management services to residents struggling with significant unmet needs. The "Navigator Program" will provide assistance to difficult-to-reach residents who are experiencing crisis. This year the program was funded using the Timothy Smith Trust Fund, and this will be the first year in the operating budget. Currently 22 Eastham residents are receiving services through this program.

The school budgets as a whole reflect an overall increase of 3.1%. The Eastham Elementary School budget increased by 2.45% and Nauset Regional School by 2.6%, also with a favorable assessment compared to the other District Schools, which helped the budget this year. However, Eastham enrollment for Cape Cod Tech increased by several students causing the Tech assessment to increase by \$162,832 or 5.6%, more than expected.

The budget, as presented, includes the continuation of all programs and services at their current levels. It provides for educational services as requested by all three school departments, and adds support for water system operations and additional fire and police services. As is noted, the overall goal is to temper the larger increases with corresponding restraint whenever possible in order to keep the overall budget amount stable and within the framework of existing revenues. We understand that the rising debt is placing a burden on residents and are actively seeking any new revenue sources. Some are described in later articles in this warrant and will assist us in off-setting that debt, so that programs and services can continue at expected levels for the community without new taxation.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: *See detail of Article 12 on following pages*
(Majority vote required)

DETAIL OF ARTICLE 12

LINE #	GENERAL GOVERNMENT	FY18 APPROVED BUDGET	FY19 SELECTMEN'S BUDGET	FIN COMM REC
1	SELECTMEN/TN ADMINISTRATOR OFFICE SALARY	346,338	262,192	7-0
2	SELECTMEN/TOWN ADMINISTRATOR EXPENSE	16,100	14,345	7-0
3	FINANCE OFFICE	-	-	7-0
4	FINANCE OFFICE SALARY	-	139,345	7-0
5	RESERVE FUND	65,000	95,000	7-0
6	TOWN ACCOUNTANT OFFICE SALARY	182,421	159,261	7-0
7	TOWN ACCOUNTANT EXPENSE	34,570	41,320	7-0
8	ASSESSOR OFFICE SALARY	174,993	182,060	7-0
9	ASSESSOR EXPENSE	38,750	40,045	7-0
10	ASSESSOR EXPENSE CAPITAL	6,897	6,897	7-0
11	TREASURER/COLLECTOR OFFICE SALARY	207,251	197,359	7-0
12	TREASURER/COLLECTOR EXPENSE	8,030	11,420	7-0
13	LEGAL SERVICES EXPENSE	80,000	80,000	7-0
14	IT DEPARTMENT SALARY	137,192	148,382	7-0
15	IT DEPARTMENT EXPENSE	189,634	149,632	7-0
16	TAX TITLE EXPENSE	7,000	7,000	7-0
17	CENTRAL PURCHASING SUPPLY & SERVICE	112,000	112,000	7-0
18	TOWN CLERK/ELECTIONS OFFICE SALARY	105,391	106,262	7-0
19	TOWN CLERK /ELECTIONS EXPENSE	9,727	10,515	7-0
20	NATURAL RESOURCES/CONSERVATION SALARY	317,670	362,749	7-0
21	NATURAL RESOURCES/CONSERVATION EXPENSE	27,165	29,665	7-0
22	NATURAL RESOURCES/CONSERVATION CAPITAL	-	14,571	7-0
23	ENVIRONMENTAL PLANNING/ HOUSING/GIS	93,376	101,576	7-0
24	ENVIRONMENTAL PLNG/ HSG/GIS EXPENSE	2,965	4,365	7-0
25	MUNICIPAL BUILDINGS SALARY	156,459	117,114	7-0
26	MUNICIPAL BUILDINGS EXPENSE	77,120	77,323	7-0
27	ENERGY FUELS EXPENSE	263,040	275,240	7-0
28	ENGINEERING & SUPPORT SERVICES EXPENSE	30,000	20,000	7-0
		\$ 2,689,089	\$ 2,765,639	2.85%
PUBLIC SAFETY & INSPECTIONAL SERVICES				
29	POLICE SALARY	1,609,986	1,700,744	6-1
30	POLICE EXPENSE	158,894	176,868	7-0
31	POLICE CAPITAL	13,656	-	7-0
32	FIRE SALARY	1,961,360	2,213,503	6-1

33	FIRE EXPENSE	139,189	165,239	7-0
34	FIRE CAPITAL EXPENSE	272,570	30,453	7-0
35	DISPATCHING SALARY	316,398	372,757	7-0
36	DISPATCHING EXPENSE	2,700	2,700	7-0
37	BUILDING/PLMBG/ELEC INSPECTION SALARY	274,913	289,065	7-0
38	BUILDING INSPECTION EXPENSE	4,435	5,830	7-0
39	BUILDING INSPECTION CAPITAL	6,828	6,897	7-0
40	EMERGENCY MANAGEMENT EXPENSE (CIVIL DEFENSE)	100	100	7-0
41	TREE WARDEN EXPENSE/DUTCH ELM/INSECT PEST	7,590	7,590	7-0
		\$ 4,768,619	\$ 4,971,746	4.26%

EDUCATIONAL SERVICES

42	ELEMENTARY SCHOOL OPERATIONS	3,501,799	3,587,473	7-0
43	NAUSET REGION CAPITAL ASSESSMENT	53,169	51,400	3-4
44	NAUSET REGION OPERATING ASSESSMENT	4,723,844	4,748,673	7-0
45	CAPE COD REGIONAL TECHNICAL SCHOOL	291,987	454,819	7-0
		\$ 8,570,799	\$ 8,842,365	3.17%

PUBLIC WORKS & SANITATION

46	GENERAL MAINTENANCE SALARY	518,262	554,504	7-0
47	GENERAL MAINTENANCE EXPENSE	169,587	169,587	7-0
48	GENERAL MAINTENANCE CAPITAL	43,811	118,865	7-0
49	SNOW & SANDING EXPENDITURES	83,132	83,132	7-0
50	STREET LIGHTING EXPENSE	7,600	7,600	7-0
51	WASTE COLLECTION & DISPOSAL SALARY	191,181	221,854	7-0
52	WASTE COLLECTION & DISPOSAL EXPENSE	787,684	587,684	7-0
53	WATER OPERATIONS SALARY	-	50,869	7-0
54	WATER OPERATIONS EXPENSE	-	290,000	7-0
		\$ 1,801,257	\$ 2,084,094	15.70%

HEALTH & HUMAN SERVICES

55	VETERANS' GRAVE OFFICER	75	75	7-0
56	PUBLIC HEALTH SALARY	191,552	203,363	7-0
57	PUBLIC HEALTH EXPENSE	24,620	25,620	7-0
58	INSPECTION OF ANIMALS EXPENSE	250	250	7-0
59	COUNCIL ON AGING SALARIES	221,656	242,790	7-0
60	COUNCIL ON AGING EXPENSE	19,897	26,824	7-0
61	VETERANS' SERVICES - EXPENSE	20,053	20,053	7-0
62	VETERANS' SERVICES - BENEFITS	9,000	17,000	7-0
63	HUMAN SERVICES AGENCIES	71,000	97,800	7-0
		\$ 558,104	\$ 633,775	13.56%

CULTURE & RECREATION

64	LIBRARY SALARY	301,772	338,123	7-0
65	LIBRARY EXPENSE	85,935	125,230	7-0
66	BEACH & RECREATION SALARY	279,907	336,939	6-0-1
67	BEACH & RECREATION EXPENSE	85,952	86,722	7-0
68	BEACH & RECREATION CAPITAL	-	5,095	7-0
		\$ 753,566	\$ 892,109	18.38%

DEBT AND BANKING SERVICES

69	LIBRARY BOND	225,000	225,000	7-0
70	INTEREST EXPENSE (LONG/SHORT TERM)	1,225,167	1,343,000	7-0
71	TAX ANTICIPATION NOTES/BANS	10,000	10,000	7-0
72	SEPTIC BETTERMENT LOANS	20,400	20,400	7-0
73	PURCELL LAND PURCHASE	45,000	50,000	7-0
74	EASTHAM ELEMENTARY SCHOOL RENOVATION	395,000	390,000	7-0
75	MUNICIPAL WATER - GO BOND (1)	395,000	395,000	7-0
76	MUNICIPAL WATER - GO BOND (2)	-	113,000	7-0
77	MUNICIPAL WATER (1)	576,133	592,000	7-0
78	MUNICIPAL WATER (2)	51,801	54,000	7-0
79	MUNICIPAL WATER (3)	233,833	240,000	7-0
80	MUNICIPAL WATER USDA (1)	-	26,000	7-0
81	BANS PRINCIPAL ROCK HARBOR/WATER	194,418	-	7-0
82	ROCK HARBOR - GO BONDS	-	72,000	7-0
83	BANK AGENT PAYING FEES & CHARGES	121,128	76,000	7-0
		\$ 3,492,880	\$ 3,606,400	3.25%

OTHER EXPENSES (GENERAL GOVERNMENT)

84	EMPLOYEE BENEFITS/TRAINING	13,500	16,500	7-0
85	BARN. COUNTY RETIREMENT ASSESSMENT	1,487,129	1,559,905	7-0
86	TOWN INSURANCE - UNEMPLOYMENT EXPENSE	20,000	20,000	7-0
87	TOWN INSURANCE - EMPLOYEE EXPENSE HEALTH	2,520,000	2,635,794	7-0
88	TOWN INSURANCE - TOWN PROTECTION (PROP & LIAB)	365,900	366,500	7-0
		\$ 4,406,529	\$ 4,598,699	4.36%

TOTAL		\$ 27,040,842	\$ 28,394,826	5.01%
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ARTICLE 13 (FY19 CAPITAL ACQUISITION)

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$788,000 to purchase the following capital items, make improvements to capital facilities as listed below; or take any action relative thereto.

By Board of Selectmen

Summary:

Article 13 represents the Capital Plan for the coming year, covering all departments and the Eastham Elementary School and includes vehicles, technology upgrades, and improvements to municipal buildings. Each year town departments, including the elementary school, work with the Town Administrator to prioritize items from the five-year plan, and recommend them for funding in the current budget cycle. Article 13 details the capital needs for the coming year, and is the acquisition article for those items. The plan as presented continues our investment in improving IT services, replaces vehicles and provides necessary maintenance to town buildings. It also highlights three separate projects that are recommended for funding in future articles in this warrant: Rock Harbor Improvement Plan, renovation of the police station including a new roof, and a wastewater article that will fund continued exploration of alternative wastewater systems, pond remediation, and a new storm water system for the Salt Pond area.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0 except lines 9, 29 & 38. See Articles 16, 17 & 15 for specific votes.

(Majority vote required)

DETAIL OF ARTICLE 13

FY19 CAPITAL ARTICLE

ARTICLE 13

ITEM	DEPARTMENT/CAPITAL ITEM	FY19 BUDGET	FUNDING SOURCE
DATA PROCESSING			
1	COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$25,000	F
2	VIDEO EQUIPMENT UPGRADES/DIGITAL CAMERAS	\$5,000	F
3	MOBILE COMPUTING & TABLET ACQUISITION/REPLACEMENTS	\$3,000	F
4	WIRELESS UPGRADE TOWN HALL	\$12,500	F
5	SOFTWARE UPGRADES /CLOUD APPLICATIONS	\$15,000	F
6	COMPUTER REPLACEMENT (4 COMPUTERS - COA)	\$5,000	F
7	REPLACE PLOTTER/SCANNER(S)	\$10,000	F
SUBTOTAL		\$75,500	
COA/ADULT DAYCARE			
8	VAN REPLACEMENT	\$10,000	F
SUBTOTAL		\$10,000	
HARBOR IMPROVEMENTS			
9	ROCK HARBOR IMPROVEMENTS	\$1,300,000	D
SUBTOTAL		\$1,300,000	

MUNICIPAL BUILDINGS EQUIPMENT			
10	COPIERS/POSTAGE METERS	\$15,000	F
	SUBTOTAL	\$15,000	
MUNICIPAL BUILDINGS IMPROVEMENTS			
ALL BUILDINGS			
11	PROJECT CONTINGENCY: MAJOR REPAIRS, PAINTING ETC.	\$45,000	F
REC BLDG			
12	FURNISHINGS	\$10,000	F
COA			
13	ROOF REPLACEMENT	\$30,000	F
14	PLUMBING REPAIRS	\$10,000	F
	SUBTOTAL	\$95,000	
SCHOOL			
15	GROUNDS MAINTENANCE - DRAINAGE/FENCING	\$6,000	F
16	BUILDING MAINTENANCE/IMPROVEMENTS	\$25,000	F
17	SOUNDPROOF CAFÉ/MUSIC ROOM	\$13,000	F
18	PORTABLE/SLIDE OUT STAGE IN GYM	\$25,000	F
19	KITCHEN REFRIGERATOR REPLACEMENT	\$6,000	F
	SUBTOTAL	\$75,000	
BEACHES/RECREATION			
20	UPGRADE/ADA BATH HOUSES	\$15,000	F
21	NEW BATHHOUSE FIRST ENCOUNTER (PLAN DEVELOPMENT)	\$25,000	F
	SUBTOTAL	\$40,000	
DPW			
22	ORDINARY ROAD M & R (NOT CHAP 90)	\$50,000	F
23	REPLACE/ADD RECYCLING COMPACTOR	\$20,000	F
24	LOADER REPLACEMENT (544) (LEASE)	\$40,000	F
25	UPGRADE TRUCK SCALE (REFURBISH)	\$25,000	F
26	PLOW PUSHER FOR BOB CAT LOADER FOR LIBRARY	\$7,000	F
27	TOWNWIDE SIGN REPLACEMENT PROGRAM	\$26,500	F
27	STAIRS - SUNKEN MEADOW/SALT WORKS (FEMA 30K)	\$50,000	F
	SUBTOTAL	\$218,500	
POLICE			
28	UNMARKED ADMIN VEHICLE 4X4 (3 YR LEASE)	\$14,000	F
29	BUILDING RENOVATION (Training, Locker Rm, Kitchen)	\$600,000	D
	SUBTOTAL	\$614,000	
FIRE			
30	REPLACE FORRESTRY/SPEC HAZTRUCK (91) & EQUIP (2 YEAR LEASE)	\$100,000	A
31	THERMAL IMAGER	\$20,000	A
32	COMPUTER SOFTWARE ENHANCEMENTS	\$20,000	A
33	MOBILE/DESKTOP COMPUTER HARDWARE ENHANCEMENT/ADDITIONS	\$20,000	A
RESCUE/MEDICAL EQUIP UPGRADE/REPLACEMENT			
34	JAWS/AIR BAGS/ EXTRACTION EQUIPMENT	\$10,000	A
35	RADIO REPLACEMENT/UPGRADES	\$35,000	A
	SUBTOTAL	\$205,000	

	MISC		
36	RESOURCE LAND MANAGEMENT PLANS	\$15,000	F
37	LAND ACQUISITION (OPEN SPACE, RECREATION, MAINTENANCE)	\$25,000	F
38	WASTE WATER/208 SOLUTIONS/POND REMEDIATION (DEBT EXCLUSIONS)	\$470,000	D
	SUBTOTAL	\$510,000	

TOTAL CAPITAL EXPENSES	\$3,158,000
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(KEY)	
F = FREE CASH	583,000
SF = SPECIAL FUND	-
A = AMBULANCE RECEIPTS	205,000
D = CAPITAL DEBT EXCLUSION	2,370,000
TOTAL	3,158,000

ARTICLE 14 (FIVE YEAR CAPITAL PLAN)

To see if the Town will, in accordance with Chapter 6-6A of the Eastham Home Rule Charter, vote to accept the Capital Improvement Plan for FY20-FY24 as printed below; or take any action relative thereto.

By Board of Selectmen

Summary:

The five-year Capital Plan, covering all departments and the Eastham Elementary School includes vehicles, technology upgrades, and improvements to municipal buildings. Each year town departments, including the elementary school, submit items for inclusion on the five-year plan, and are reviewed and placed on the plan. The current year's plan we call the acquisition article, and this is shown as article 13 and represents the items the town will purchase or invest in for the coming fiscal year. Article 14 details the current five-year plan and includes such items as: continuation of Rock Harbor Improvement Plan, equipment and vehicle replacements that come due for town departments, large maintenance items for town buildings such as replacing HVAC systems or roofs, road and storm water maintenance. Some new items that have been placed on the plan for future years are a possible small building for the recreation department, road repair costs and expenses anticipated for wastewater mitigation. All amounts and items shown in the five-year capital improvement plan are estimates and subject to review, refinement, additions, and deletions at each town meeting where the plan is authorized.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

FIVE YEAR CAPITAL PLAN (FY20-FY24)

DEPARTMENT/CAPITAL ITEM	FY19	FY20	FY21	FY22	FY23	FY24
DATA PROCESSING						
1 COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$75,000 F	\$25,000 F		\$25,000 F		\$25,000 F
2 SERVER UPGRADES/NETWORK ENHANCEMENTS			\$15,000 F		\$15,000 F	
3 FIBER OPTIC CABLE/OPEN CAPE CONNECTION				\$10,000 F		
4 VIDEO EQUIPMENT UPGRADES/DIGITAL CAMERAS	\$5,000 F		\$5,000 CT		\$5,000 CT	
5 LASER/FICHE UPGRADES/EXPANSION						
6 REPLACE PLOTTER/SCANNER(S)	\$10,000 F			\$20,000 F		
7 MOBILE COMPUTING & TABLET ACQUISITION/REPLACEMENTS	\$3,000 F			\$12,000 F		\$8,000 F
8 WIRELESS UPGRADE TOWN HALL	\$12,500 F	\$12,500 F	\$5,000 F		\$5,000 F	
9 SOFTWARE UPGRADES /CLOUD APPLICATIONS	\$15,000 F	\$15,000 F		\$15,000 F		\$15,000 F
10 COMPUTER REPLACEMENT (4 COMPUTERS - COA)	\$5,000 F					
LIBRARY REQUESTS						
11 UPGRADE 6 PUBLIC PCs (50% OF THE COST)		\$5,000 F				\$5,000 F
12 UPGRADE CIRCULATION PCs (50% OF THE COST)		\$5,000 F				\$5,000 F
13 UPGRADE STAFF PCs (50% OF THE COST)		\$5,000 F				\$5,000 F
14 UPGRADE CHILDREN STAFF PCs (50% OF THE COST)		\$5,000 F				\$5,000 F
15 UPDATE WIRELESS ACCESS POINTS & NETWORK EQUIPMENT		\$5,000 F				
TOWN VIDEO SERVICES						
16 UPGRADE OF BROADCAST PIX SYSTEM (FROM ANALOG TO DIGITAL)		\$49,812 F				
17 UPGRADE OF PA SYSTEM IN EARLE ROOM & SMALL MTG ROOM			\$3,500 F			
18 75" SMART MONITOR FOR SMALL MEETING ROOM			\$6,000 F			
SUBTOTAL	\$75,500	\$127,312	\$34,500	\$82,000	\$25,000	\$68,000
COA/ADULT DAYCARE						
19 VAN REPLACEMENT	\$10,000 F		\$36,000 F/HST		\$38,000 F/HST	
SUBTOTAL	\$10,000	\$0	\$36,000	\$0	\$38,000	\$0
ASSESSING/INSPECTION VEHICLES						
20 DATA COLLECTOR VEHICLE				\$10,000 F		
21 PLANNER/INSPECTOR VEHICLE				\$10,000 F		
SUBTOTAL	\$0	\$0	\$0	\$20,000	\$0	\$0
NATURAL RESOURCES						
22 4x4 PICK UP TRUCK		\$15,000 F				\$15,000 F
23 4x4 PICK UP TRUCK			\$35,500 F		\$38,000 F	
24 SAND/DRIFT FENCE - VARIOUS LOCATIONS					\$50,000 F	
25 BOAT MOTOR 130HP/50HP			\$15,000 F			
26 EQUIPMENT CHAINSAWS/PRESSURE WASHER			\$2,500 F			
27 HERRING-RUN GATE & IMPROVEMENTS			\$2,000 F			
28 TRAILER FOR CAROLINA SKIFF				\$25,000 F		

FIVE YEAR CAPITAL PLAN (FY20-FY24)

DEPARTMENT/CAPITAL ITEM	FY19	FY20	FY21	FY22	FY23	FY24
29 PORTABLE GPS			\$2,500 F			
30 KUBOTA TRACTOR TRAILER REPLACEMENT				\$7,500 F		
		\$15,000	\$57,500	\$32,500	\$88,000	\$15,000
SUBTOTAL	\$0					
HARBOR IMPROVEMENTS						
31 DREDGE ROCK HARBOR/DOCK/WALKWAY IMPROVEMENTS	\$1,300,000 D		\$2,500,000 D			
	\$1,300,000	\$0	\$2,500,000	\$0	\$0	\$0
SUBTOTAL						
MUNICIPAL BUILDINGS EQUIPMENT						
32 VACUUM/CARPET CLEANERS/ LADDERS			\$2,000 F			\$2,000 F
33 VAN REPLACEMENT		\$25,000 F		\$32,215 F		\$32,215 F
34 COPIERS/POSTAGE METERS	\$15,000 F				\$20,000 F	
35 FLOOR MACHINE/SNOW BLOWER			\$1,400 F			
		\$25,000	\$3,400	\$32,215	\$20,000	\$34,215
SUBTOTAL	\$15,000					
MUNICIPAL BUILDINGS IMPROVEMENTS						
ALL BUILDINGS						
36 PROJECT CONTINGENCY: MAJOR REPAIRS ,PAINTING ETC.		\$50,000 F	\$50,000 F	\$50,000 F	\$50,000 F	\$50,000 F
TOWN HALL						
37 GREEN ENERGY ENHANCEMENTS	\$45,000 F					
38 MECHANICAL SYSTEMS OVERHAUL		\$50,000 F	\$20,000 F	\$45,000 F		
39 REPLACE VAULT A/C UNITS		\$10,000 F				
40 REPLACE CIRCULATOR PUMPS			\$10,000 F		\$10,000 F	
41 REPLACE HOT WATER TANK			\$3,000 F			
42 REPLACE EXISTING A/C UNITS					\$50,000 F	
43 REPLACE/ REPAIR ROOF		\$50,000 F				
INFO/WMILL						
44 WINDMILL/INFO/ANCIENT CEMETERIES/BRACKETT PORTABLES		\$7,000 F				
REC BLDG						
45 FURNISHINGS	\$10,000 F					
COA						
46 RENOVATION/EXPANSION HEAT/AIR COND/ SENIOR CENTER				\$3,000,000 D		
47 ROOF REPLACEMENT	\$30,000 F					
48 INTERIOR/EXTERIOR PAINTING REPAIRS		\$15,000 F				
49 PLUMBING REPAIRS	\$10,000 F					
DPW/NR						
50 COPIER REPLACEMENT			\$5,000 F			
51 AIR/HEATING SYSTEM OVERHAUL/REPLACE				\$10,000 F		
52 EXTERIOR MAINTENANCE - STUCCO DPW BLDG					\$25,000 F	
53 EXPAND DPW GARAGE SPACE/INTERIOR RENOVATION		\$1,500,000 D	\$20,000 F			
54 NR BLDG- PAINT EXTERIOR					\$15,000 F	
POLICE						
55 REPLACE HOT WATER TANK			\$3,000 F			
56 REPLACE 2 OF 4 AIR HANDLING UNITS				\$11,000 F		

FIVE YEAR CAPITAL PLAN (FY20-FY24)

DEPARTMENT/CAPITAL ITEM	FY19	FY20	FY21	FY22	FY23	FY24
57 KITCHEN/LOCKER RM/TRAINING RM UPGRADES	\$500,000 D					
58 INTERIOR/EXTERIOR PAINTING					\$35,000 F	
59 GARAGE DOOR REPLACEMENT					\$20,000 F	
60 ROOF/GUTTERS/ PATIO/EXTERIOR WORK	\$100,000 D				\$10,000 F	
FIRE						
61 BUILDING MAINTENANCE (VARIOUS ITEMS BLDG 10+ YRS OLD)		\$25,000 F				
62 PAINTING INTERIOR/EXTERIOR			\$20,000 A			
63 HEATING/COOLING ALL MECHANICAL SYSTEM OVERHAUL				\$25,000 A		
64 REPLACE ROOF				\$60,000 A		
65 INTERIOR FINISHES					\$40,000 A	
LIBRARY						
66 NEW BUILDING MAINTENANCE (5+ YEARS OLD)					\$45,000 F	
SUBTOTAL	\$695,000	\$1,707,000	\$131,000	\$3,201,000	\$300,000	\$50,000
SCHOOL						
67 ROUTINE PAINTING ROTATION						
68 REPLACE PLAYGROUND/BASKETBALL COURT SURFACE		\$5,000 F	\$5,000 F		\$5,000 F	
69 GROUNDS MAINTENANCE - DRAINAGE/FENCING	\$6,000 F			\$10,000 F		
70 GYM FLOOR REFINISHING			\$15,000 F		\$2,000 F	
71 COMPUTER HARDWARE/REPLACEMENTS/UPGRADES		\$25,000 F		\$25,000 F		\$25,000 F
72 BUILDING MAINTENANCE/IMPROVEMENTS	\$25,000 F		\$25,000 F		\$25,000 F	
73 SEPTIC IMPROVEMENTS				\$50,000 F		
74 PHONE SYSTEM UPGRADE		\$75,000 F				
75 SOUNDPROOF CAFÉ/MUSIC ROOM	\$13,000 F					
76 REPLACE CAFÉ TABLES			\$9,000 F			
77 GYM ELECTRIC BACKSTOP				\$8,000 F		\$1,000 F
78 PORTABLE WIRELESS SOUND SYSTEM						
79 PORTABLE SLIDE-OUT STAGE IN GYM	\$25,000 F					
80 CAFÉ FLOOR EPOXY						
81 MAIN CORRIDOR TILE REPLACEMENT		\$10,000 F	\$5,000 F			
82 CLASSROOM TILE REPLACEMENT						\$5,000 F
83 REPLACE CARPET MUSIC/LIBRARY ROOM		\$4,000 F		\$20,000 F		\$5,000 F
84 REPLACE/UPGRADE CLOCK - COMPUTERIZED						\$5,000 F
85 HVAC OVERHAUL/REPLACE				\$20,000 F		
86 INDOOR/OUTDOOR LIGHTING REPLACE/UPGRADE		\$7,000 F				
87 BOOSTER WATER HEATER/KITCHEN			\$1,500 F			
88 KITCHEN REFRIGERATOR REPLACEMENT	\$6,000 F					\$10,000 F
89 GENERATOR					\$40,000 F	
SUBTOTAL	\$75,000	\$126,000	\$60,500	\$133,000	\$72,000	\$51,000
BEACHES/RECREATION						
90 UPGRADE/ADA BATH HOUSES						
91 PARKING LOT REPAIRS (VARIOUS LOCATIONS)	\$15,000 F	\$20,000 F				
92 ADA BEACH CHAIR		\$10,000 F		\$10,000 F		

FIVE-YEAR CAPITAL PLAN (FY20-FY24)

DEPARTMENT/CAPITAL ITEM	FY19	FY20	FY21	FY22	FY23	FY24
93 4 X2 TRUCK			\$32,000 F			
94 4 X2 TRUCK					\$35,000 F	
95 B-BALL RESURFACE/BASEBALL BACKSTOP REPL/FENCING			\$90,000 F			
96 PICKLEBALL COURTS (NEW ACTIVITY)			\$10,000 F			
97 BEACH GATE SHACKS			\$9,000 F			
98 WALKWAYS/DUNE MAIN FENCING/MOBI MAT EXTEND			\$20,000 F	\$20,000 F		
99 REPLACE SOFT BALL SHEDS (2)				\$35,000 F		
100 OUTDOOR SHOWERS @ WILEY PARK/COOKS BROOK, ETC		\$50,000 F				
101 NEW BATHHOUSE FIRST ENCOUNTER	\$25,000 F	\$750,000 D				
102 COLOR COPIER		\$7,000 F				
SUBTOTAL	\$40,000	\$837,000	\$164,500	\$65,000	\$35,000	\$0
DPW						
103 SMALL DUMP TRUCK			\$50,000 F			\$50,000 T
104 LARGE DUMP TRUCK (2 TRUCKS)				\$400,000 T		
105 PICKUP TRUCKS		\$40,000 F			\$40,000 F	
106 ORDINARY ROAD M & R (NOT CHAP 90)	\$50,000 F	\$200,000 T	\$250,000 T	\$300,000 T	\$500,000 T	\$500,000 T
107 NEW TRASH TRAILERS			\$130,000 T			\$65,000 F
108 REPLACE/ADD RECYCLING COMPACTOR	\$20,000 F	\$40,000 F		\$40,000 F		\$80,000 F
109 LOADER REPLACEMENT (\$44)	\$40,000 F	\$40,000 F	\$40,000 F	\$40,000 F		
110 TWO (2) 40 YARD OPEN TOP ROLL OFF CONTAINERS			\$8,000 F		\$8,000 F	
111 STORM DRAIN UPGRADE/IMPROVEMENT/REPLACEMENTS		\$80,000 F		\$90,000 F		
112 MOWER REPLACEMENTS (2 mowers)		\$20,000 F	\$30,000 F		\$35,000 F	
113 SWEEPER REPLACEMENT (FIVE YEAR LEASE, \$150K)		\$50,000 F	\$50,000 F			
114 STATIONARY AIR COMPRESSOR				\$10,000 F		
115 "MINI" EXCAVATOR		\$35,000 F				
116 TRANSFER STATION TRUCKS		\$225,000 F			\$75,000 F	
117 UPGRADE TRUCK SCALE	\$25,000 F					
118 PLOWS	\$7,000 F					
119 ROAD CONSTRUCTION EQUIPMENT		\$13,500 F		\$7,000 F		\$20,000 F
120 FUEL SYSTEM UPGRADE			\$25,000 F			
121 GROUNDING ELECTRICAL AT DPW/NATURAL RESOURCES				\$15,000 F		
122 TOWNWIDE SIGN REPLACEMENT PROGRAM	\$26,500 F	\$26,566 F	\$26,565 F	\$26,565 F	\$26,565 F	
123 WINDMILL EXTERIOR REPAIRS (CPC REQUEST)		\$50,000 F				
124 STAIR REPLACEMENT	\$50,000 F					
125 PARKING LOTS		\$50,000 F	\$50,000 F	\$50,000 F	\$50,000 F	\$50,000 F
SUBTOTAL	\$218,500	\$870,066	\$659,565	\$978,565	\$774,565	\$765,000
POLICE						
126 DEFIBRILATORS REPLACEMENT		\$7,000 T				
127 UNMARKED ADMIN VEHICLE 4X4(3 YR LEASE)	\$14,000 F	\$14,000 F	\$14,000 F	\$14,000 F	\$14,000 F	\$14,000 F
128 CRUISER/w/ video		\$36,000 T	\$36,000 T	\$37,000 T	\$37,000 T	\$38,000 T
129 CRUISER		\$36,000 T	\$36,000 T	\$37,000 T	\$37,000 T	\$38,000 T
130 REPLACE (800mhz) PORTABLE RADIOS/ DISPATCH CONSOLES			\$331,696 F			

FIVE YEAR CAPITAL PLAN (FY20-FY24)

DEPARTMENT/CAPITAL ITEM	FY19	FY20	FY21	FY22	FY23	FY24
131 LAP TOP COMPUTER IN CAR REPLACEMENT (4)						
132 BULLET PROOF VEST REPLACEMENT (ALL)		\$20,000 F		\$25,000 F		
133 NEW SPEED TRAILER				\$8,000 F		
134 RADAR EQUIPMENT UPGRADE/REPLACEMENT		\$6,000 F				
135 DIGITAL VIDEO FOR CRUISERS			\$40,000 F			
136 TASER REPLACEMENTS						
137 HANDGUN REPLACEMENT			\$15,000 F			\$15,000 F
138 BUILDING VIDEO SURVEILLANCE EQUIP UPGRADE					\$20,000 F	
139 PORTABLE VIDEO					\$80,202 F	
140 BUILDING RENOVATION (IN MUNICIPAL BUILDINGS)		\$600,000 D				
	\$14,000	\$719,000	\$672,696	\$121,000	\$198,202	\$105,000
SUBTOTAL						
FIRE						
141 REPLACE AMBULANCE (CHG BUY TWO SAME TIME) 3YR LEASE)						
142 POWERLOAD STRETCHERS				\$250,000 A	\$250,000 A	\$250,000 A
143 LADDER TRUCK (5 YEAR LEASE \$1 MILLION)						
144 SQUAD 1 REPLACEMENT (TRUCK 160)			\$200,000 A	\$200,000 A	\$200,000 A	\$200,000 A
145 ADMINISTRATIVE VEHICLE. DEP/CHIEF) REPLACE 2 @ 40K EA		\$34,000 A		\$50,000 A		
146 REPLACE FORRESTRY/SPEC HAZ TRUCK (91) & EQUIP	\$100,000 A	\$100,000 A				
147 UPGRADE/ REPLACE AIR PACKS - 4.5L		\$10,000 A				
148 THERMAL IMAGER	\$20,000 A			\$10,000 A		\$10,000 A
149 UPGRADE AND REPLACE TURNOUT GEAR (AS NEEDED)			\$30,000 A		\$30,000 A	
150 HYDRANT SYS SPECIAL EQUIPMENT			\$10,000 A			
151 REPLACE GAS METER		\$5,000 A				
152 COMPUTER SOFTWARE ENHANCEMENTS	\$20,000 A			\$5,000 A		
153 MOBILE/DESKTOP COMPUTER HARDWARE ENHANCEMENT/ADDS	\$20,000 A		\$20,000 A	\$20,000 A		
154 FIRE SUPPRESSION UPGRADES/REPLACEMENT/FOAM		\$5,000 A		\$5,000 A	\$20,000 A	\$5,000 A
RESCUE/MEDICAL EQUIP UPGRADE/REPLACEMENT						
155 CARDIAC MONITORS (2) (AED)		\$76,000 A				
156 JAWS/AIR BAGS/EXTRACTION EQUIPMENT	\$10,000 A		\$40,000 A			
157 SPECIALTY GEAR		\$10,000 A			\$10,000 A	
158 RADIO REPLACEMENT/UPGRADES	\$35,000 A				\$38,000 A	
159 FIRE HOSE (VARIOUS SIZES) CONTINUOUS REPL		\$20,000 A		\$20,000 A		
160 REPLACE ENGINE PUMPER (5 YR LEASE)						\$150,000 A
SUBTOTAL	\$205,000	\$260,000	\$300,000	\$560,000	\$548,000	\$615,000
MISC.						
161 RESOURCE LAND MANAGEMENT PLANS	\$15,000 F		\$25,000 F			
162 LONG RANGE PLAN IMPLEMENTATION ASSISTANCE		\$25,000 F				
163 LAND ACQUISITION/OPEN SPACE. RECREATION, MAINTENANCE)	\$25,000 F					
164 LAND ACQUISITION HOUSING/AFFORDABLE HOUSING PURCHASES				\$75,000 F	\$75,000 T	
165 COASTAL EROSION PLANNING/MITIGATION		\$50,000 F			\$50,000 T	
166 ALTERNATIVE/GREEN ENERGY INITIATIVES						
167 FRESH WATER/POND STUDIES - REMEDIATION	\$20,000 D	\$100,000 T		\$50,000 F		

FIVE YEAR CAPITAL PLAN (FY20-FY24)

DEPARTMENT/CAPITAL ITEM	FY19	FY20	FY21	FY22	FY23	FY24
WASTE WATER/208 SOLUTIONS (DEBT EXCLUSIONS)	\$450,000 D	\$850,000 D	\$1,200,000 D	\$1,200,000 D	\$1,200,000 D	
	\$510,000	\$1,025,000	\$1,225,000	\$1,325,000	\$1,325,000	\$0
SUBTOTAL						
TOTAL CAPITAL EXPENSES	\$3,158,000	\$5,711,378	\$5,844,661	\$6,550,280	\$3,413,767	\$1,703,215
(KEY)						
F = FREE CASH	\$583,000	\$1,372,378	\$1,331,661	\$ 934,280	\$883,767	\$462,215
SF = SPECIAL FUND	-	-	-	-	-	-
C = COMMUNITY PRESERVATION FUND	-	-	-	-	-	-
HST = HUMAN SERVICES GIFT FUND	-	-	\$36,000	-	\$38,000	-
A = AMBULANCE RECEIPTS	\$205,000	\$260,000	\$320,000	\$645,000	\$588,000	\$615,000
EX = BOAT EXCISE	-	-	-	-	-	-
T = TAX LEVY	-	\$379,000	\$452,000	\$774,000	\$699,000	\$626,000
D = CAPITAL DEBT EXCLUSION	\$2,370,000	\$3,700,000	\$3,700,000	\$4,200,000	\$1,200,000	-
CT = CABLE TV REVENUE	-	-	\$5,000	-	\$5,000	-
TOTAL	\$3,158,000	\$5,711,378	\$5,844,661	\$6,550,280	\$3,413,767	\$1,703,215

ARTICLE 15 (WASTEWATER)

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of \$ 470,000 for costs associated with continuation of the wastewater engineering and study for alternative systems for Salt Pond remediation, a grant match for the Salt Pond drainage improvements; and to mitigate the effects of pollution on Schoolhouse and Minister's Pond, including all costs incidental or related thereto; and further that such appropriation shall not take effect until after a positive vote to exempt from the limitation on taxes under G.L. c59 §21C (proposition 2 ½ so called); or take any action relative thereto.

By Board of Selectmen

Summary:

The Town has developed a five-year plan to address continuing wastewater needs and planning to comply with the 208 Plan. The plan addresses the need for denitrification of our resource areas (Salt Pond, Nauset Estuary, and Rock Harbor) and ponds without a traditional sewer system. In addition, this year we are fortunate to have the possibility of a large grant of \$750,000 to install drainage systems that will prevent storm water runoff into Salt Pond. However, the grant requires a 25% or \$250,000 match from the Town which is included in the \$470,000 for the article. Acceptance of this article will allow the Town to continue its engineering and planning efforts to address alternative technologies such as permeable reactive barriers and the use of shellfish for wastewater mitigation at Salt Pond, begin remedial efforts in Schoolhouse and Minister's Ponds, and complete the essential drainage project.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(2/3 Majority vote required)

ARTICLE 16 (ROCK HARBOR)

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds, the sum of \$ 1,300,000 for costs associated with the Rock Harbor Improvement Plan - Phase I, including replacement, construction and improvements to the Rock Harbor Marina area, docks, pilings, floats, the Harbormaster building, parking, improved access to commercial docks, water, electrical, all related engineering and permitting costs, and all other costs incidental and related thereto; and further that such appropriation shall not take effect until after a positive vote to exempt from the limitation on taxes under G.L. c59 §21C (proposition 2 ½ so called); or take any action relative thereto.

By Board of Selectmen

Summary:

The Eastham portion of Rock Harbor has been an underutilized resource for residents, boaters, and recreational/commercial fishermen of the Town for many years. In 2010 the Town completed a study for the improvement of Rock Harbor, but it was not brought forward to Town Meeting. Repairs and dock replacements have been continuously deferred until the complete plan was approved by Town Meeting and are long overdue. Acceptance of this article will allow the Town to move forward with improvements to the Harbor area including: complete dock & pier replacement, improving parking and accessibility, creating a small Harbormaster building, and improving access to the commercial dock area. If approved, permitting and design will continue and dock, pier and float replacement will occur beginning in spring of 2019.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 5-2

(2/3 Majority vote required)

ARTICLE 17 (POLICE STATION)

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of **\$600,000** for costs associated with replacement of the police station roof and renovation of the locker rooms, kitchen, and training rooms, and all architectural and planning costs related to this renovation and all other costs incidental or related thereto; and further that such appropriation shall not take effect until after a positive vote to exempt from the limitation on taxes under G.L. c59 §21C (proposition 2 ½ so called); or take any action relative thereto.

By Board of Selectmen

Summary:

The Eastham Police Station is in need of upgrades and repairs. The entire roof needs replacement, the interior basement locker and equipment rooms have been damaged by water, and the upstairs kitchen and training rooms need renovation. This is not a complete renovation of the building, but will provide the maintenance and refurbishment necessary to refresh the building. This is a single capital expenditure and once complete will allow the building to continue to be used for many years to come.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-1

(2/3 Majority vote required)

ARTICLE 18 - ZONING

~~Strikethrough~~ = Language proposed for deletion

Underline = Language proposed for inclusion

To see if the Town will vote to amend the Eastham Zoning Bylaw, **SECTION IX INTENSITY REGULATIONS, SUBSECTION D.5 RESIDENTIAL LOT INTENSITY** as follows:

4. Any proposed addition to or expansion of an existing dwelling or accessory structure in District F: Seashore District must submit an application to the Eastham Planning Board under Section XIV – Site Plan Approval – Residential, if the addition or expansion exceeds ~~100~~ 200 square feet.

5. Any project resulting in an increase of 200 square feet or less of site coverage, as defined in Section III of the Eastham Zoning Bylaw, shall be exempt from Site Plan Approval – Residential. No more than one (1) exemption shall be granted within a five (5) year period.

or take any action relative thereto.

By Eastham Planning Board

Summary:

This article will streamline the regulatory permitting process for property owners wishing to add accessory buildings such as a storage shed to their property.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

PLANNING BOARD RECOMENDATION: 7-0

(2/3 Majority vote required)

ARTICLE 19 - ZONING

~~Strikethrough~~ = Language proposed for deletion

Underline = Language proposed for inclusion

To see if the Town will vote to amend the Eastham Zoning Bylaw, **SECTION V USES, ALL DISTRICTS** as follows:

ALL DISTRICTS:

- Municipal uses are allowed by-right
 - Commercial Communications Towers are allowed only on Town owned land.
 - Special Permits may be granted for any use not specifically permitted but which is consistent with the intent of the zoning district characteristics as expressed in Section 3 of this By-Law.
- or take any action relative thereto.

By Eastham Planning Board

Summary:

This article will permit Municipal uses within all zoning districts.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

PLANNING BOARD RECOMENDATION: 7-0

(2/3 Majority vote required)

ARTICLE 20 - ZONING

~~Strikethrough~~ = Language proposed for deletion

Underline = Language proposed for inclusion

To see if the Town will vote to amend the Eastham Zoning Bylaw, **SECTION III – DEFINITIONS** by deleting the following:

~~HEIGHT, BUILDING—The vertical distance from the grade plane to the highest point of a gable, hip or gambrel roof and the highest point of the coping of a flat roof, but excluding chimneys, cupolas, flagpoles or other similar and customary appurtenances.~~

or take any action relative thereto.

By Eastham Planning Board

Summary:

This article will delete one of two definitions for Building Height currently in the Zoning Bylaw. This definition is less comprehensive than the remaining definition and does not provide adequate information to properly interpret the term.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

PLANNING BOARD RECOMENDATION: 7-0

(2/3 Majority vote required)

ARTICLE 21 - ZONING

~~Strikethrough~~ = Language proposed for deletion

Underline = Language proposed for inclusion

To see if the Town will vote to amend the Eastham Zoning Bylaw, **SECTION XII ADMINISTRATION** as follows:

~~C. Construction or operations under a building or special permit shall conform to any subsequent amendment or the ordinance or by laws unless the use or construction is commenced within a period of not more than six (6) months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.~~

D. All special permits and variances shall lapse one (1) year three (3) years from date of issue unless construction or operation under said permit has commenced. All rights authorized by a variance shall be exercised within one (1) year of the date of grant of such variance. If a matter is under court appeal, a special permit or variance shall be deemed issued on the date that a final court determination enters in the case.

And also amend

SECTION XIII – SITE PLAN APPROVAL – SPECIAL PERMIT as follows:

H. ENFORCEMENT

1. Any special permit with site plan approval issued under this section shall lapse within ~~two years~~ three (3) years if a substantial use thereof has not sooner commenced or, in the case of a permit for construction, if construction has not begun by such date. ~~completion of the requirements of the Site Plan has not taken place.~~ Such permit may be extended for reasonable cause.
or take any action relative thereto.

By Eastham Planning Board

Summary:

The content in Section C is superseded by the State Building Code. Deleting this section from the local zoning bylaw will reduce confusion between regulations. The proposed amendments to Section D and Section H, will bring Eastham's local Zoning Bylaw into compliance with the corresponding State statute under Massachusetts General Laws Chapter 40A.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

PLANNING BOARD RECOMMENDATION: 7-0

(2/3 Majority vote required)

ARTICLE 22 - ZONING

EASTHAM CORRIDOR SPECIAL DISTRICT

To see if Town Meeting will vote to amend the Eastham Zoning Bylaw by deleting Section V. District I - North Eastham Overlay in its entirety and replacing it with the following new section which shall be numbered Section V.I – Eastham Corridor Special District.

DISTRICT I - EASTHAM CORRIDOR SPECIAL DISTRICT

A. STATUTORY AUTHORITY

On November 1, 2017, the Barnstable County Assembly of Delegates adopted Barnstable Ordinance 17-12 and designated the district shown on a map labeled "Town of Eastham – Proposed DCPC August 2017" ("DCPC Map") as District of Critical Planning Concern ("DCPC"), pursuant to Section 11 of the Cape Cod Commission Act (St. 1989, c.716, as amended) ("CCCA") and pursuant to CCCA Section 11(d), the Town adopted these implementing regulations to regulate the DCPC which shall be known as the Eastham Corridor Special District.

B. PURPOSE

The purpose of the Eastham Corridor Special District, as designated in Barnstable County Ordinance 17-12, is to enhance and protect the character of Eastham's commercial areas, encourage mixed-use development,

support and enhance the economy in North Eastham, improve bicyclist and pedestrian safety and access along the Route 6 corridor, minimize traffic conflicts and improve access management throughout the District, expand opportunities for creation of affordable housing, and adopt best management practices to manage nutrients discharged through stormwater within the District.

C. APPLICABILITY

1. District Boundaries

The provisions of this Section shall apply within the Eastham Corridor Special District (ECSD), as shown on the DCPD Map [and as shown in more detail on a map entitled "Eastham Corridor Special District" Map dated May 7, 2018].

2. Neighborhood Districts

For the purpose of this zoning bylaw, the Eastham Corridor Special District is divided into the following neighborhood zoning districts:

Core Commercial District (CC)

The purpose of the Core Commercial District is to create a compact, vibrant commercial center at Route 6 and Brackett Road that contains small-scale commercial uses consistent with the neighborhood character and with interconnections between properties to facilitate convenient pedestrian and bicycle access and circulation. Buildings shall have small setbacks to the street, and no parking shall be allowed in front yards. The Core Commercial District has a commercial focus but also allows for accessory residential units.

Office/Residential District (O/R)

The purpose of the Office/Residential District is to allow a mix of residential and compatible low intensity commercial uses in a walkable, residential scale neighborhood. All development will follow traditional residential patterns. No direct access to Route 6 shall be allowed from lots in Office/Residential District in order to improve safety and to limit curb cuts on the highway.

Transition Commercial District (TC)

The purpose of the Transition Commercial District is to allow for small-scale commercial and residential uses on the Route 6 corridor outside of the Core Commercial area, with greater setbacks from Route 6, landscape treatments, and minimal visibility of parked cars, while maintaining pedestrian scale development and accessibility. A single curb cut shall provide access to Route 6 from lots in the Transition Commercial District in order to improve safety and limit curb cuts on the highway.

Limited Commercial District (LC)

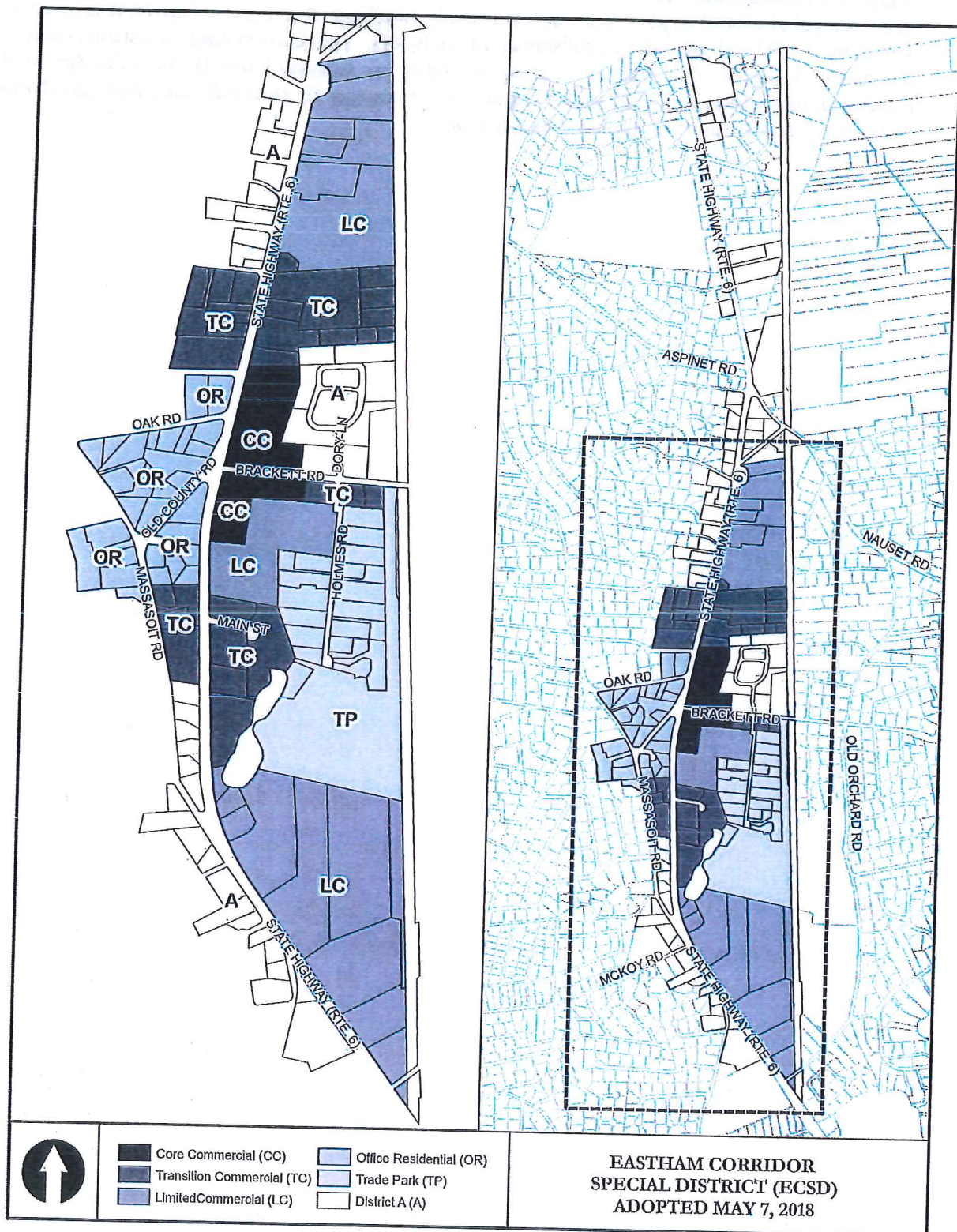
The purpose of the Limited Commercial District is to allow for a predominantly residential area with low-intensity commercial uses on Route 6 well outside the Commercial Core, maintaining pedestrian scale development and accessibility, and avoiding creation of hazards or congestion. A single curb cut access to Route 6 shall be provide access to Route 6 from lots in the Limited Commercial District in order to improve safety and limit curb cuts on the highway.

Trade Park (TP)

The purpose of the Trade Park District is to support the industrial and trade needs of the community, providing an appropriate location off of Route 6 for businesses in the building trades and similar industries.

District A (Residential Uses)

A residential district of single-family and two-family dwellings. A portion of District A is located within the ECSD and pre-dates establishment of the ECSD. This Section does not establish new zoning for District A. *(For District A zoning regulation see Sections V and IX. Site Plan Approval for residential uses within the ECSD where required under Section IX, shall fall under Eastham Zoning Bylaw Section XIV Site Plan Approval Residential).*



3. Relationship to Other Regulations

The provisions in this Section (Section V, District I - Eastham Corridor Special District) apply to all development within the Eastham Corridor Special District. Other sections of the Town of Eastham

Zoning Bylaw also apply within this special district, except that where this Section conflicts with or differs from other sections of the Eastham Zoning Bylaw, this Section shall control.

D. SPECIAL PERMIT GRANTING AUTHORITY AND SITE PLAN REVIEW

1. The Planning Board shall be the Special Permit Granting Authority (SPGA) for Special Permits within the Eastham Corridor Special District.
2. The Town Planner shall be the Planning Board's designee for conducting Minor Site Plan Approval within the Eastham Corridor Special District. The Planning Board shall be responsible for conducting Major Site Plan Approval in the Eastham Corridor Special District.

E. DEFINITIONS

As used in the ECSD, the following terms shall have the meanings indicated:

Accessory Use or Building – A use or structure which is customarily incidental to and subordinate in area, extent, and purpose to that of the principal structure or use and shall be located on the same lot therewith. If such use or structure occupies more than 40% of the floor area occupied by the principal structure or use or more than 50% of the lot area occupied by the principal structure or use, it shall no longer be considered accessory.

Accessory Dwelling Unit (ADU) – A dwelling unit incorporated within or attached to a principal use on the same lot, which ADU shall be clearly subordinate in size to that principal use.

Formula Business – A retail business, restaurant, or other food service establishment which does or is required by contractual or other arrangement such as a franchise to maintain two (2) or more of the following items:

1. Standardized (formula) array of services and/or merchandise, trademark, or logo;
2. Standardized exterior architecture, décor, or color scheme;
3. Standardized signage;

and these features are the same as or substantially the same as ten (10) or more such establishments, regardless of ownership or location.

Frontage Building - The building that abuts the front yard, front lot line, exterior (street-facing) side yard, or exterior side lot line. Corner buildings shall have two frontages.

Front Yard – A space extending the full width of the lot between the front line of the nearest building wall or structure and the front lot line. On corner lots or lots with frontage on two roadways, the front yard shall extend along the frontage on both streets.

Change of Use – A change in the nature or purpose of a use for a developed site.

Gross Floor Area (GFA) – The sum of the area of all floors within the perimeter of a building, located either above or below ground level. Gross floor area shall be expressed in square feet and measured from the exterior face of the exterior walls, or the centerline of shared walls. It shall include mezzanines and attics without deduction for hallways, stairways, elevator shafts, mechanical rooms, closets, thickness of walls, columns, projections, or other similar features. Crawl spaces for plumbing, wiring, or other mechanical infrastructure or for storage and in all cases not designed for human occupancy shall not count towards Gross Floor Area. Outdoor areas used for storage, sales, service and display shall also be included in the total Gross Floor Area.

Interconnection – A shared access way among properties to reduce the number of curb cuts, driveways and vehicle maneuvers on adjacent roadways.

Pocket Park/Pedestrian Plaza – Landscaped and/or hardscaped area with benches, bike rack, landscaping and special pavement treatment.

Principal Use or Building – A primary use on a lot or a building on a lot on which the primary use is located. (See also Accessory Use or Building).

Setback – The required distance between every structure and the lot lines of the lot on which it is located.

Vegetated Buffer – A combination of mixed hardwood and evergreen trees and shrub plantings designed to provide screening of development from adjacent roadways. Pedestrian amenities such as sidewalks may be located within the vegetated buffer where appropriate.

F. ECSD USE REGULATIONS

1. Allowed Uses

In the following ECSD Table of Use Regulations, uses that are permitted by right in the district are designated by the letter (Y). Uses that may be permitted by special permit in the district are designated by the letter (SP). Uses designated (X) are not permitted in the district.

	CORE COMMERCIAL	TRADE PARK	TRANSITION COMMERCIAL	OFFICE/ RESIDENTIAL	LIMITED COMMERCIAL
PRINCIPAL USES					
AGRICULTURE					
Farm	X	Y	Y	Y	Y
Plant nursery, other horticulture or floriculture	X	Y	Y	Y	Y
RESIDENTIAL					
Assisted living residence, with or without independent living	X	X	Y	Y	Y
Single-family dwelling	X	X	X	Y	Y
Two-family or duplex dwelling	X	X	X	Y	Y
Apartments and townhouses	X	X	Y	Y	Y
COMMERCIAL					
Antique, Craft, and Gift shops	Y	X	Y	Y	Y
Adult entertainment	X	SP	X	X	X
Animal hospital or veterinary office	X	X	Y	Y	X
Art gallery	Y	X	Y	Y	Y
Auction house	X	Y	X	X	X
Automotive repair, service	X	Y	X	X	X
Bakery, wholesale	Y	Y	Y	X	X
Bank	Y	X	Y	Y	Y
Barber shop, beauty salon	Y	X	Y	Y	Y
Boat building, repair, storage	X	Y	X	X	X
Cinema, movie theater	SP	X	Y	X	X
Contractor's yard	X	Y	X	X	X
Dry cleaning, laundromat	Y	X	Y	X	X
Fitness center, gym	Y	X	Y	X	Y
Food Truck	SP	SP	SP	SP	SP
Formula Business	SP	X	SP	X	X
Hospice care facility	X	X	Y	SP	Y
Hotel, Inn, Motel, Hostel	X	X	X	X	X
Industry, light	X	Y	X	X	X
Junk Yard	X	SP	X	X	X
Kennel, commercial (not defined)	X	X	Y	Y	Y
Nursing or convalescent facility	X	X	Y	Y	Y
Professional offices	Y	X	Y	Y	Y
Publishing and/or printing establishment	X	Y	X	X	X
Rental, automobile, truck, trailer	X	Y	X	X	X
Rental, boat, fishing gear	X	Y	X	X	X
Restaurant ≤3,000 sf GFA	Y	X	Y	SP	SP
Restaurant >3,000 sf GFA	SP	X	SP	X	X
Retail sales/service, ≤3,000 sf GFA	Y	X	Y	Y	X
Retail sales/service, >3,000 sf GFA	SP	X	SP	X	X
Resort and conference center	X	X	X	X	X
Service and repair, non- automotive (carpentry, electrical,	X	Y	X	X	SP

	CORE COMMERCIAL	TRADE PARK	TRANSITION COMMERCIAL	OFFICE/ RESIDENTIAL	LIMITED COMMERCIAL
plumbing, etc.)					
Spa resort	X	X	X	X	Y
Studio, artist dance, photography	Y	Y	Y	Y	Y
INDUSTRIAL					
Concrete batching plant	X	SP	X	X	X
Manufacturing, assembling, processing, packaging	X	Y	X	X	X
Plumbing, electrical, carpentry	X	Y	X	X	X
Warehousing, Rental, and bulk storage	X	Y	X	X	X
Wastewater Effluent disposal	X	SP	X	X	X
Wind, Solar, Energy Facility (other than private)	X	SP	X	X	X
GOVERNMENT, CULTURAL, INSTITUTIONAL					
Conservation, open space land	X	X	Y	Y	Y
Municipal use	Y	Y	Y	Y	Y
Museum	Y	Y	Y	X	X
Public use, other	Y	X	Y	X	Y
Recreation, passive	Y	X	Y	Y	Y
ACCESSORY USES					
COMMERCIAL					
Antique, craft, and gift shops	Y	Y	Y	Y	Y
Barber shop, beauty salon	Y	X	Y	Y	Y
Office	Y	X	Y	Y	Y
Retail complementary to principal use	Y	Y	Y	X	Y
Service trades	X	Y	X	X	X
RESIDENTIAL					
Affordable Dwelling unit	Y	Y	Y	Y	Y
Apartment located above permitted commercial use	Y	Y	Y	Y	Y
Single-family	Y	X	Y	Y	Y
Two-family or duplex dwelling	Y	X	Y	Y	Y
Apartments and townhouses	Y	X	Y	Y	Y
Bed and breakfast	X	X	X	Y	Y
Family daycare, licensed per G. L. c. 15D, §1A.	Y	X	Y	Y	Y
Farm stand, non-exempt per G. L. c. 40A, §3Y.	SP	X	Y	SP	SP
Home Occupation	Y	X	Y	Y	Y

2. Continuation

Any lawfully established lot, structure or use existing at the time of the adoption of this Section that does not conform to the provisions of the Eastham Corridor Special District shall be allowed to continue.

3. Change, Alteration, Expansion of Non-Conforming Structures and Uses

Notwithstanding the provisions of G.L Chapter 40A, and Section VI of the Eastham Zoning Bylaw, lawfully established structures and uses in existence as of May 7, 2018 that do not conform to the ECSD District Wide Development Standards may be changed, altered or expanded in accordance the following procedures:

a. Minor Site Plan Review

A pre-existing, non-conforming structure or use may change or expand up to 250 square feet of gross floor area through Minor Site Plan Review in accordance with Section V, District I, subsection H.3.a, Minor Site Plan Review, provided that the following criteria are determined to be met:

1. The property shall have no more than one defined curb cut onto Route 6 and shall not propose additional Route 6 curb cuts;
2. A landscape buffer of at least 20 feet in depth exists and shall be maintained on the subject property along its road frontage;
3. No additional parking or pavement shall be proposed in the lot's Front Yard area.
4. Any change or expansion shall comply with all dimensional standards in the ECSD.

b. Major Site Plan Review

A pre-existing, non-conforming structure or use may change or expand up to 1,000 square feet of gross floor area in accordance with Section V, District I, subsection H.3.b, Major Site Plan Review, provided that the following criteria are determined to be met:

1. The property shall have no more than one defined curb cut onto Route 6 or shall provide an interconnection to an adjacent property to limit future curb cuts onto Route 6;
2. A landscape buffer of at least 20 feet in depth wide exists or will be provided and shall be maintained on the subject property along its road frontage;
3. The amount of parking in the Front Yard area shall be reduced; and
4. Any change or expansion shall comply with all dimensional standards in the ECSD

c. Special Permit

A pre-existing, non-conforming structure or use that proposes to change or expand more than 1,000 square feet of gross floor area requires a Special Permit in accordance with Section V, District I, subsection K, ECSD Site Plan Special Permit. The change or expansion shall comply with all dimensional standards in the ECSD, including building setback, parking location, maximum building footprint, façade variation, landscaping, and Route 6 access.

4. Use Limitations

- a. Special Permits may be granted for uses not specifically permitted but which is consistent with the intent of the zoning district characteristics as expressed in Section V.(I) of this bylaw.
- b. Drive-throughs are prohibited, except for banks.

G. ECSD DISTRICT WIDE DEVELOPMENT STANDARDS

The following standards shall apply to all development within the district. The Planning Board (SPGA) or in the case of Minor Site Plan Approval, the Planning Board's designee, shall use the standards as criteria for consideration of Major and Minor Site Plan Approvals and Special Permit approval.

1. Dimensional Standards

	CORE COMMERCIAL	TRADE PARK	TRANSITION COMMERCIAL	OFFICE/ RESIDENTIAL	LIMITED COMMERCIAL
Minimum Lot Size	20,000 sf	40,000 sf	40,000 sf	40,000 sf	40,000 sf
Minimum Frontage Building Setback	20' on Route 6 5' on Brackett Rd	25'	25'	25'	25'
Maximum Frontage Building Setback	30' on Route 6 15' on Brackett Rd	NA	50'	50'	
Side Setback	10' on Route 6 0'-15' on Brackett Rd	10'	10'	10'	10'
Rear Setback	10'	10'	10'	10'	10'
Parking Setback	At least 20' behind front building facade	10'	At least 20' behind front building facade	At least 20' behind front building facade	At least 20' behind front building facade
Maximum Individual Building Footprint	3,000 sf in front of lot; 8,000 sf if located behind frontage buildings	10,000 sf	3,000 sf in front of lot; 8,000 sf if located behind frontage buildings	2,000 sf in front of lot; 5,000 sf if located behind frontage buildings	3,000 sf in front of lot; 8,000 sf if located behind frontage buildings
Maximum Total Building Coverage	50%	50%	30%	30%	30%
Maximum Lot Coverage	80%	80%	80%	65%	65%
Maximum Building Height	2 stories or 30' for pitched roofs at least 7/12; 20' for flat-roofed buildings or for roofs with a slope less than 7/12.	2 stories or 30' for pitched roofs at least 7/12; 20' for flat-roofed buildings or for roofs with a slope less than 7/12.	2 stories or 30' for pitched roofs at least 7/12; 20' for flat-roofed buildings or for roofs with a slope less than 7/12.	2 stories or 30' for pitched roofs at least 7/12; 20' for flat-roofed buildings or for roofs with a slope less than 7/12.	2 stories or 30' for pitched roofs at least 7/12; 20' for flat-roofed buildings or for roofs with a slope less than 7/12.
Gross Floor Area on 2 nd Floor	Less than or equal to 40% of a building's total gross floor area	Less than or equal to 40% of a building's total gross floor area	Less than or equal to 40% of a building's total gross floor area	Less than or equal to 40% of a building's total gross floor area	Less than or equal to 40% of a building's total gross floor area

	CORE COMMERCIAL	TRADE PARK	TRANSITION COMMERCIAL	OFFICE/ RESIDENTIAL	LIMITED COMMERCIAL
Façade Variation	5' setback or projection every 40'		5' setback or projection every 40'	5' setback or projection every 40'	5' setback or projection every 40'
Pocket Park/Pedestrian Plaza	50 sf per development site				
Landscaping	Street trees 1 every 35' 3" min. caliper; landscaping required in front yard area	Minimum 10' wide vegetated buffer	Minimum 25' wide vegetated buffer	Minimum 25' wide vegetated buffer	Minimum 25' wide vegetated buffer
Parking Lot Landscaping	100 sf every 10 spaces	100 sf every 10 spaces	100 sf every 10 spaces	100 sf every 10 spaces	100 sf every 10 spaces
Route 6 Access	Only one Route 6 curb cut allowed		Only one Route 6 curb cut allowed	No Route 6 access allowed; must use secondary road access	Only one Route 6 curb cut allowed

2. Parking, Driveway, Vehicular and Pedestrian Access Standards

- a. All driveway and parking areas shall be visually buffered from all streets by placing them behind frontage buildings and through the use of berms or natural features and/or plantings, using materials that shall maintain a minimum of 50% of their effectiveness year-round. All driveway and parking areas shall be visually buffered from adjoining residential uses by one or more of the following: earthen berms, fencing, and plantings, using materials that shall maintain a minimum of 75% of their effectiveness year round. Visual buffers shall be designed, placed and maintained to reduce light from vehicular headlights from reaching onto adjoining streets and other properties.
- b. A portion of the required parking may be accommodated on access drives within the project area, provided such parking does not interfere with sight lines to pedestrian or vehicular access routes, directional signage, or interfere with vehicular access/egress in any area.
- c. Landscaped islands shall be designed with consideration given to the need for shade, pedestrian access where appropriate, snow storage, and the need to soften the appearance of large paved areas.
- d. Parking areas may consist of either pervious hard surfaces or impervious surfaces, provided that provisions acceptable to the Planning Board to manage surface water runoff. The Planning Board may allow up to 10% of the required parking to be constructed in an alternative paver which incorporates the use of grass or a "grass on gravel" system to allow for greater permeability and an appearance more characteristic of open space/courtyard features, to be used exclusively for overflow parking beyond that normally needed to service the uses on site. The location of such spaces should be in peripheral areas of the parking facility where they can enhance the appearance of adjoining open space and not be in a location where they would be in daily use or

overlap with pedestrian activity.

- e. Parking areas shall be lighted to provide adequate visibility for use in the dark without adversely impacting adjacent uses or parcels and shall conform to Lighting Standards in subsection G.9.
- f. Off-street parking spaces may be laid out in a perpendicular, angled, or parallel alignment provided adequate access is provided for vehicles to enter and leave the spaces, pedestrians to enter and leave the vehicles, and service and emergency vehicles to access the drives, parking areas, and buildings.
- g. Perpendicular or angled parking spaces shall not be less than 9 feet wide by 18 feet in depth. However, at the discretion of the Planning Board, up to 5% of the required parking spaces may be accommodated using a layout of an 8-foot width by a 17-foot depth. Such spaces shall be identified by a sign mounted at a height of not less than 5 feet or more than 8 feet indicating the space is for a subcompact car only. In no case shall parallel parking spaces be less than 8 feet in width (depth) and 22 feet in length.
- h. Driveways which can be shared for more than one use are encouraged, provided the Planning Board determines that sharing does not limit adequate service or emergency access at any time or serve as the only route of vehicular access to a project.
- i. Customer and residential pedestrian access areas shall include a combination of walkways and landscaping. Such pedestrian access shall be provided from the streets providing frontage and/or access for the project as well as the drives and parking areas within the project. Pedestrian access routes shall be laid out to minimize conflict with vehicular routes, and where the two cross, the pedestrian route shall be clearly marked on the vehicular surface and when appropriate, with signage. Pedestrian access routes shall be lighted to provide adequate visibility for use in the dark without adversely impacting adjacent uses or parcels.

3. General Parking Requirements

Off-street parking spaces in the amounts specified in Table of Parking Requirements shall be provided for each use, unless an alternate amount is approved through Site Plan Review or by Special Permit, in accordance with subsections I, J, and K, Minor and Major Site Plan Review Procedures, and Special Permit Review Procedures.

TABLE OF PARKING REQUIREMENTS		
Spaces per 1,000 sf		
Land Use	Maximum	Minimum
Retail	3	2
General Office	4	2
Hotel, Motel, Lodgings	1 space per sleeping room	1 space per sleeping room
Medical Office	4	3
Restaurant	1 space per 4 seats	1 space per 4 seats
Coffee shop/cafe	1 space per 2 seats	1 space per 3 seats
Personal Services Establishment	3	2

Industrial	2.5	1.5
Social, Fraternal Organizations	4	3
Churches, places of worship	1 space per 3 seats	1 space per 5 seats
All other uses	3 or other amount, as determined by the Planning Board based on the character of the use proposed	2 or other amount, as determined by the Planning Board based on the character of the use proposed

a. **Waiver Requests**

Applicants may seek a waiver from the Planning Board and the Planning Board shall have the authority through Site Plan Review to reduce the minimum number of parking spaces required or to exceed the maximum amount by up to 10%. Applicants seeking to exceed the maximum amount by more than 10% of the requirement shall obtain Special Permit approval from the Planning Board.

b. **Shared Parking**

The number of parking spaces required may be reduced for shared parking at the discretion of the Planning Board provided such reduction does not shift a demand for parking onto public streets or any areas not equipped to handle such activity.

1. **Shared On-Site Parking**

To implement shared on-site parking between two or more uses, the applicant shall provide expert analyses as part of Site Plan Review to demonstrate that proposed uses are either competing or non-competing and the applicant shall pay for peer review, as and if required by the Planning Board.

2. **Non-competing Uses**

In mixed-use developments, applicants may propose a reduction in parking requirements based on an analysis of peak demands for non-competing uses. Up to 50% of the requirements for the predominant use may be waived by the Planning Board if the applicant can demonstrate that the peak demands for two uses do not overlap. An applicant may use the latest peak demand analyses published by the Institute of Traffic Engineers (ITE) or other source acceptable to the Planning Board and the Board may require peer review of the information provided.

3. **Competing Uses**

In a mixed-use development, an applicant may propose a reduction in parking requirements where peak demands do overlap. In these cases, the Planning Board shall have the authority, but not the obligation, to reduce the parking requirements of the predominant use by up to 30%.

4. **In consideration of a request to share parking, the Planning Board shall require that an applicant shall provide evidence that satisfies the Board that the following conditions are satisfied:**

- (a) The shared parking is sufficient to adequately service the adjoining uses without leaving either in a deficit of spaces needed;
- (b) The shared parking has well defined pedestrian access to both uses;
- (c) There is a legally binding and permanent agreement, executed by all parties to be served and recorded, which permits vehicular and pedestrian access to and from all the parcels involved; this agreement must be in place, and a copy provided to the Building Inspector before issuance of an Occupancy Permit.

4. Building Design Standards

- a. Variation in the overall architectural design, including set-backs and projections in the building facades, changes in roof ridge and eave height, and incorporation of porches, display windows and entrances that are pedestrian-scale and compatible with the small-scale character of Eastham shall be included in all new construction. All building facades that abut public streets should have characteristics similar to the primary façade. Applicants may refer to the Cape Cod Commission's Technical Bulletins "Designing the Future to Honor the Past: Design Guidelines for Cape Cod" and "Contextual Design on Cape Cod: Design Guidelines for Large Scale Development" for design guidance.
- b. All roof mounted mechanical equipment must be enclosed to reduce the noise of operation and eliminate visibility of such equipment from the equivalent of an adjoining second floor level. In no case shall roof mounted equipment or the accompanying enclosures exceed a height of 6 feet above, or occupy, with the exception of photovoltaic and associated solar energy systems, more than 30% of the area of the roof surface.
- c. Buildings with traditionally sloped roofs are preferred, and those with a pitch of at least 7/12 are allowed greater maximum building height than flat-roofed structures.
- d. Exterior building facades shall incorporate traditional building materials such as wood shingle or clapboard siding, or shall use composite materials that approximate or reference traditional siding materials.
- e. Building orientation, layout, and configuration shall be designed to provide adequate light and air for the proposed and adjoining buildings.

5. Internal Roadways, Walkways, Paths and Parking Area Standards

- a. Internal roadways shall be designed to provide for safety; visual appeal; separation of vehicular, bicycle and pedestrian traffic; convenient connectivity within and without the site; and maximum access to the various amenities and facilities on the site and to pathways on adjacent sites. All internal roadways, walkways, paths and parking areas shall be maintained by the owner or an association of unit owners, as applicable.

6. Drainage and Storm Water Management Standards

- a. Stormwater for all roadways, driveways and parking areas shall be managed and infiltrated on site, close to the source, to minimize runoff and maximize water quality treatment. Stormwater water quality treatment shall be consistent with 310 CMR and the Massachusetts Stormwater Management Handbook to attain 80-percent total suspended solids removal and to reduce nutrients. All designs shall provide for at least 44-percent total suspended solids removal prior to

discharge into structured infiltration systems.

- b. Stormwater design for the first inch of stormwater flow from all roadways, driveways and parking areas shall use biofiltration practices including, but not limited to, vegetated swales and filter strips, constructed wetlands, tree box filters, bio-retention areas and rain gardens for treatment of stormwater runoff. Bioretention areas shall be constructed in accordance with the Massachusetts Storm Water Management Volume One: Stormwater Policy Handbook March 1997.

7. Landscape Plan and Buffering Standards

- a. No clear-cutting shall be permitted, except as necessary and incidental to development activities under an approved site plan. Required buffers shall maintain existing vegetation and topography to the greatest extent possible. Where additional planting is required to meet the landscaping standards in the ECSD Dimensional Table, new planting shall consist of mixed hardwood and evergreen trees, with associated shrubs and groundcovers, planted to provide full screening within three years of planting. All development shall submit a maintenance agreement for a minimum of three growing seasons to insure vegetation is properly established. Any planting that does not survive for three years shall be replaced. Where, appropriate, pedestrian and bicycle accommodations may be installed within the landscape buffer. Applicants may refer to the Cape Cod Commission's website Design Resources page for guidance in meeting these standards.

8. Service Access, Including Deliveries and Trash Removal Standards

- a. Provisions shall be made for service vehicles to access the site and building so as not to obstruct pedestrian and vehicular access by residents, commercial patrons and emergency providers. All trash receptacles and areas to be used by service and delivery vehicles shall be visually and, to the extent reasonably practicable, acoustically buffered from adjoining residences by one or more of the following: earthen berms, fencing, and/or planting. Any relief granted shall be conditioned to require trash removal at sufficient frequency, especially during summer months, so as to mitigate odor and pest control issues. Any visual screening shall maintain a minimum of 75% of its effectiveness year-round. No service vehicle shall be allowed to have an engine idling for more than ten minutes unless it is necessary for the service being provided (for example: tree trimming, power washing, refrigeration, etc.).

9. Lighting Standards

Lighting shall be shielded such that peak candle power is at an angle of 75 degrees or less from vertical, and have a maximum luminaire mounting height of 30 feet, and a maximum off-site overspill of 1.0 foot-candles.

10. Formula Business Review Criteria

The purpose and intent of the Formula Business review criteria shall be to regulate the visual features and address the adverse aesthetic impact of nationwide, standardized businesses on the visual character of Eastham. The visual impact of formula based businesses would have a negative impact on the Town's distinctive Cape Cod character, which is critical to the Town's tourist-based economy and its status as a "Cape Cod vacation destination" and enhances the quality of life for residents. Formula Businesses which are identifiable through exterior arrangements (signs/colors/symbols and design and arrangement of structures and similar arrangements that visually identify the business as a chain or formula business) shall require Special Permit authorization from the Planning Board to ensure that the exterior arrangements in the ECSD shall not detract from Eastham's individuality and community character. In addition to Special Permit approval criteria provided in Subsection K.4 of

this bylaw, the Planning Board shall take the following additional criteria into consideration when reviewing an application for Formula Business:

- a. The extent to which the exterior arrangements of the Formula Business would be compatible with and reflect the aesthetic appearance and individuality of the ECSD;
- b. The extent to which the exterior arrangements of the Formula Business that are typically used for the business at other locations outside of the ECSD have been proposed to be modified.

H. ECSD REVIEW PROCEDURES

1. Purpose

a. Minor and Major Site Plan Review

The purpose of Site Plan Review is to provide for comprehensive review of proposed development in the ECSD that could impact the visual character, natural resources, and traffic circulation of the area. Site Plan Review shall be a process that allows the Planning Board or its designee to ensure that proposed development satisfies the requirements of Section V, District I.

b. Special Permit Site Plan Review

The purpose of Special Permit review is to ensure that new development and redevelopment which may have significant impacts upon ECSD or the Town of Eastham is designed in a manner that minimizes adverse impacts, in accordance with Chapter 40A of the Massachusetts General Laws.

2. Types of Review

- a. Residential uses within the ECSD shall fall under Eastham Zoning Bylaw Section XIV Site Plan Approval Residential.
- b. The following types of development require approval by the Planning Board or its designee prior

MINOR SITE PLAN Planning Board Designee Approval	MAJOR SITE PLAN Planning Board Approval	SITE PLAN SPECIAL PERMIT Planning Board Approval
<ul style="list-style-type: none"> Exterior construction, expansion or alteration of structure(s) less than or equal to 500 sf GFA, OR Additional Site Coverage of less than or equal to 500 sf, OR 	<ul style="list-style-type: none"> Exterior construction or expansion of structure(s) resulting in an increase between 501 – 3000 sf GFA, OR Increase greater than 500 sf of additional site coverage, OR Change of Use, 	<ul style="list-style-type: none"> Exterior construction or expansion of structure(s) resulting in an increase greater than 3000 sf GFA, OR Use requiring a Special Permit per Table of Uses, OR Formula Business

to issuance of a building permit. **For changes, alterations, expansion of pre-existing non-conforming structures and uses also reference Section V, District I, subsection F.3.**

<ul style="list-style-type: none"> • Creation of 1- 4 additional parking spaces, and the parking is not located in front of lot, OR 	<ul style="list-style-type: none"> • Creation of 5 -10 additional parking spaces, OR • Changes to site access, pattern of pedestrian and/or vehicular movement within the site or in relation to adjacent properties or streets, including interconnection(s) between adjacent lots, OR 	<ul style="list-style-type: none"> • New curb cut onto Route 6, OR • Creation of greater than 10 additional parking spaces, OR • Creation of new or change to existing Route 6 access, OR
<ul style="list-style-type: none"> • 1 new interior Accessory Dwelling Unit 	<ul style="list-style-type: none"> • 2-3 new interior Accessory Dwelling Units (no change to building footprint), OR • 1-3 new dwelling units, principal or accessory use. 	<ul style="list-style-type: none"> • 4 or more new dwelling units, principal or accessory use, OR
		<ul style="list-style-type: none"> • Outside display of devices, goods or other objects for sale, rent or for the promotion of the business outside, if kept in place after daily business hours

3. Site Plan Review Approval

a. Minor Site Plan Approval

The Planning Board's designee, without a public hearing, shall issue a written determination for Minor Site Plan approval upon a determination that all of the requirements listed in Section V, District I, subsection G, ECSD District Wide Development Standards, have been satisfied.

b. Major Site Plan Approval

Major Site Plan approval shall be granted upon a favorable vote of a majority of the Planning Board and a public hearing shall be required.

c. Site Plan Special Permit Approval. Approval shall be granted only upon a favorable vote of a super-majority of the Planning Board following a public hearing.

d. In granting Major Site Plan Review Approval, or Special Permit Approval, the Planning Board may impose reasonable conditions as may be necessary or appropriate to:

1. Enforce compliance with substantive requirements of the Eastham Zoning Bylaw, unless waived.
2. Protect the health, safety, convenience, and general welfare of the inhabitants of the Town of Eastham.

4. Disapproval

The Planning Board or its designee in the case of a Minor Site Plan review may deny approval of a site plan for a use allowed by right only on the grounds that the application materials or plan contents required under this Section V, District I, 2.b have not been submitted and/or were not submitted at the appropriate time.

5. Conditions

Among its conditions, the Board or in the case of Minor Site Plan, its designee may require the provision of adequate security by the applicant, in such form and amount as may be determined by the Board. This security is to ensure the satisfactory completion of all improvements required by site plan approval. The Planning Board may also require a formal commitment to future compliance, including a monitoring program post-permit issuance for compliance purposes for a time specified in the site plan approval, including restrictive covenants which shall be recorded before any building permit issues.

6. Approval Lapse

Site Plan and Special Permit Approval shall lapse three (3) years from the date of issuance unless construction or operation under the approval has commenced.

I. ECSD MINOR SITE PLAN PROCEDURES

1. Preliminary Meeting

Applicants are encouraged to schedule a preliminary meeting with Town Staff at which time the level of review may be determined. Such preliminary reviews may help identify general approaches and allow for exploration of potential problems at an early stage. Sketches, which need not be professionally prepared, are intended to initiate the discussion and do not need to show all of the

information required for a formal site plan application. The applicant should contact the Town Planner to schedule a preliminary review with Town staff.

2. Minor Site Plan Application Filing

Each application for Minor Site Plan Approval shall be filed by the petitioner with the Planning Department.

- a. Each application shall be accompanied by the required fee:
 1. The fee schedule is listed in the Planning Board Regulations.
 2. The applicant will bear the costs of any outside planning or engineering consultant requested by the Planning Board or its designee.
- b. A complete filing for Minor Site Plan Approval shall include the following items:
 1. A completed application for Minor Site Plan Review.
 2. A letter of denial and/or zoning determination from the Building Commissioner.
 3. A site plan which may be prepared by the applicant. However, the Planning Board or designee may require the submission of additional information and/or may require information be prepared by a licensed professional if it is determined that such information is necessary to make an informed decision. All site plans shall be prepared using an appropriate scale and be based upon reliable datum, suitable for the content of the topic covered on the sheet and shall include the following:
 - (a) The location and boundaries of the lot, adjacent street/ways,
 - (b) Existing and proposed structures,
 - (c) The existing and proposed location of loading areas, driveways, walkways, access and egress points, and the location and number of parking spaces,
 - (d) The location for exterior components on the site such as refuse containers, benches, mechanical components etc.
 - (e) The location and description of existing signs and the location and a sketch of proposed signs with dimensions.

3. Minor Site Plan Application Review

The Planning Board or its designee, in coordination with pertinent Town staff, shall review the application for compliance with the standards set forth in this section as well as all pertinent State and local regulations. The Planning Board or its designee may approve an application subject to such reasonable conditions as may be necessary or appropriate to:

- a. Enforce compliance with the pertinent requirements of the Eastham Zoning Bylaw.
- b. Protect the health, safety, convenience, and general welfare of the inhabitants of the Town of Eastham.

4. Minor Site Plan Decision

The Planning Board or its designee, after completing review of the minor site plan, shall file a written decision not later than 45 days of receipt of a completed application in the office of the Town Clerk, and notify the applicant of the decision. The required time limits for the filing of such decision may be extended by written agreement of the applicant and the designee, and a copy of such agreement must be filed in the office of the Town Clerk. Failure by the designee to act in the 45-day period shall be considered approval of the minor site plan. The applicant who seeks such approval because of the failure of the designee to act in the time prescribed shall notify the Town Clerk, in writing, within 14

days from the expiration of said 45 days or extended time.

Appeal of Minor Site Plan Decision

- Any person aggrieved by a decision of the designee on a minor site plan may appeal said decision to the Town of Eastham Planning Board. Such appeal must be filed with the Board within 20 days of the filing of the designee's decision with the Town Clerk.
- Any person aggrieved by a decision of the Planning Board on a Minor Site Plan may appeal said decision to the Town of Eastham Zoning Board of Appeals. Such appeal must be filed with the Zoning Board of Appeals within 20 days of the filing of the Planning Board's decision with the Town Clerk, and, only thereafter to a court of competent jurisdiction under MGL c. 40A, Section 17.

J. ECSD MAJOR SITE PLAN PROCEDURES

1. Preliminary Meeting

Applicants are encouraged to schedule a preliminary meeting with the Planning Board prior to a formal filing. Such preliminary reviews may help identify general approaches and allow for exploration of potential problems at an early stage. Sketches, which need not be professionally prepared, are intended to initiate the discussion and do not need to show all of the information required for a formal site plan application.

2. Waiver of Major Site Plan Review.

When meeting with the Planning Board for a preliminary review, the Board may vote to waive the applicant's need to submit an application for site plan review and/or waive certain submission requirements. The applicant must contact the Town Planner to schedule a preliminary review with the Planning Board.

3. Major Site Plan Application Filing

Each application for Major Site Plan shall be filed by the petitioner with the Town Clerk including the date and time of filing certified by the Town Clerk.

- a. Each application shall be accompanied by the required fee:
 1. The fee schedule is listed in the Planning Board Regulations.
 2. The applicant will bear the costs of any outside planning or engineering consultant requested by the Planning Board.
- b. A complete filing for Major Site Plan Approval shall include the following items:
 1. A completed application for Major Site Plan Approval/Special Permit
 2. A letter of denial and/or zoning determination from the Building Commissioner.
 3. Site plan(s) prepared by a Registered Professional Land Surveyor or Registered Professional Civil Engineer or both if required. All site plans shall be prepared at a defined scale suitable for the content of the topic covered on the sheet and shall include the following:
 - (a) The location and boundaries of the lot, adjacent street/ways and a list showing names and addresses of direct abutters and abutters to the abutters within 300 feet,
 - (b) Existing and proposed topography showing 2 foot contours, identifying the datum (i.e., "benchmark") used and significant land features, natural and man-made, including, but

not limited to, the location of wetlands, streams, bodies of water, drainage swales and areas subject to flooding,

- (c) Existing and proposed structures, including dimensions and all elevations,
 - (d) The existing and proposed location of loading areas, driveways, walkways, access and egress points, and the location and number of parking spaces,
 - (e) The location and description of all proposed on site wells, water supply systems, storm drainage systems, utilities, sites for enclosed refuse containers and location and capacity of septic systems,
 - (f) Proposed landscape plan showing the location and description of screening, fencing, plantings, significant trees and finished grade contours,
 - (g) The location and description of existing signs and the location and a sketch of proposed signs,
 - (h) The location and description of existing and proposed open space or recreation areas,
 - (i) A lighting plan showing existing and proposed exterior lighting, including building and ground lighting,
 - (j) A plan for the control of sedimentation and erosion if applicable,
 - (k) All easements, restrictions and covenants,
 - (l) A traffic study if required by the Planning Board.
- c. The Planning Board or designee may require additional information prepared by a licensed professional if it is determined that such information is necessary to make an informed decision.

4. Major Site Plan Application Review

- a. The Planning Board shall forward any application for Major Site Plan or Special Permit to the Health Agent, DPW Director, Building Commissioner, Conservation Agent, Police Chief and Fire Chief for their advisory review and written comments. Failure to respond within 30 days shall indicate presume approval by said agency. All recommendations to the Planning Board must be in writing. Failure of Boards to make recommendations prior to the date of the scheduled hearing shall be deemed to be acceptance of the plan.
- b. The Planning Board shall consolidate its site plan review and special permit procedures for proposals that require both Site Plan Approval and Special Permit authorizations.
- c. An application for a building permit to perform any of the activities listed under Section V.I H.2, ECSD Review Procedures allowed as-of-right shall be accompanied by an approved site plan.
- d. No deviation from an approved Major Site Plan shall be permitted without a modification thereof by site plan amendment, which shall be reviewed and approved by a majority vote of the Planning Board, unless waived.
- e. No building permit or certificate of occupancy shall be issued by the Building Commissioner without written approval of the Major Site Plan from the Planning Board, or unless sixty-five (65) days lapse after the date of submittal of the Major Site Plan without a public hearing or within 90 days elapse from the close of the public hearing with action by the Planning board or unless evidence of a waiver by the Planning Board is provided. A site plan application for a use allowed by right may only be denied if the Planning Board finds that it does not comply with the provisions of Section V.I or other applicable provisions of the Zoning Bylaw or that it lacks sufficient information to make such a finding.

5. Major Site Plan Decisions

The Planning Board, under the standards set forth here, reviews Major Site Plans and Special Permits. The Planning Board shall hold a public hearing including notice to all abutters, within sixty-five (65)

days of receipt of the completed submission and shall make a decision within ninety (90) days of the opening of the public hearing. The required time limits for the filing of such decision may be extended by written agreement of the applicant and the designee, and a copy of such agreement must be filed in the office of the Town Clerk. Failure by the designee to act in the sixty-five-day period is considered approval of the Major Site Plan. The applicant who seeks such approval because of the failure of the designee to act in the time prescribed must notify the Town Clerk, in writing, within 14 days from the expiration of said 65 days or extended time.

6. Appeal of Major Site Plan Decision

- Any person aggrieved by the decision of the Planning Board on a Major Site Plan may appeal said decision to the Town of Eastham Zoning Board of Appeals within 20 days of filing the decision with the Town Clerk, and only thereafter to a court of competent jurisdiction under MGL c. 40A, Section 17.

K. ECSD SITE PLAN SPECIAL PERMIT PROCEDURES

1. Applicability

Development that requires a Site Plan Review Special Permit authorization in accordance with ECSD Use Table of this bylaw shall submit an application for Site Plan Special Permit approval. Special Permit authorization requires a vote of approval by a super majority of the Planning Board following a public hearing.

2. Application Filing and Contents

An application for Site Plan Review Special Permit shall follow the procedures provided in Section V, District I, subsection J.2.

3. Special Permit Application Review

The Planning Board shall conduct review of Site Plan Review Special Permit applications in accordance with General Law Chapter 40A, Section 9 and shall follow the procedures provided in subsection J.3 (a)-(f) of this bylaw, which require a public hearing, with notice, and approval only upon supermajority vote.

4. Special Permit Approval Criteria

The Planning Board shall grant a Special Permit upon the written determination, as applicable, that the adverse effects of the proposed use shall not outweigh its beneficial impacts to the public interest, the town and the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any other specific factors that may be set forth in this Bylaw, the determination shall include consideration of each of the following:

- (a) Impacts on economic or community needs;
- (b) Traffic flow and safety concerns, including Route 6 access limitations and preference for shared curb cuts with adjacent uses, including provision of sidewalks and pedestrian amenities, and including no parking in front yard setback area;
- (c) Adequacy of utilities and other public services;
- (d) Impacts on neighborhood character, including all dimensional requirements and including landscape buffers along Route 6;
- (e) Impacts on the natural environment; and
- (f) Fiscal impacts, including impacts on town services, the tax base and employment.

The Planning Board shall also make such further findings as may be otherwise required by this Bylaw and may impose such additional reasonable conditions, safeguards and limitations as it deems appropriate to protect the surrounding neighborhood including, but not limited to, imposition of reasonable requirements greater than the minimums set forth in this Bylaw to address specific facts and circumstances identified in the decision and provided that the increase in minimums shall not exceed 15% (e.g., 15% increase in parking or landscaping buffer). A Special Permit shall lapse if a substantial use thereof has not sooner commenced, or, in the case of a permit for construction, if construction has not commenced (except for good cause) within three (3) years from the date of grant thereof.

5. Special Permit Final Action

The Planning Board's final action shall consist of either:

- (a) A written denial of the application stating the reasons for such denial when filed with the Town Clerk's Office; or
- (b) The issuance of the Site Plan Special Permit subject to any conditions, modifications, and restrictions as the Planning Board may deem necessary, in accordance with subsection K.4, when filed with the Town Clerk's Office.

6. Special Permit Appeals

- Any person aggrieved by a decision of the Planning Board on a Site Plan Review Special Permit may appeal said decision to a court of competent jurisdiction under MGL c. 40A, Section 17.

L. SEVERABILITY

If any provision of this Bylaw is held invalid by a court of competent jurisdiction, the validity of the remaining portions of the Bylaw shall not be affected thereby.

Or to take any other action relative thereto.

By Eastham Planning Board

Summary:

In response to growing concern over the increased level of development along Route 6 the Board of Selectmen nominated portions of North Eastham as a District of Critical Planning Concern (DCPC). The DCPC was designated by the Barnstable County Assembly of Delegates on November 1, 2017. The designation of the DCPC requires that the Town develop new zoning regulations to govern development and other land uses within the DCPC area. The zoning regulations proposed in this article are based on input received from the public over the last several months. The goals of the proposed regulations are to protect and enhance community character, improve economic development, affordable housing and traffic safety in a comprehensive manner that reflects the desires and values of the community.

PLANNING BOARD RECOMMENDATION: 7-0

BOARD OF SELECTMEN RECOMMENDATION: 4-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(2/3 Majority vote required)

ARTICLE 23- ZONING
RETAIL MARIJUANA REGULATIONS

To see if the Town will vote to amend the Eastham Zoning Bylaw by adding the following new section:

SECTION XXIII - MARIJUANA REGULATIONS

A. PURPOSE

The purpose of the marijuana bylaw is to provide for the placement of Recreational Marijuana Establishments ("RME") and Medical Marijuana Treatment Centers ("MMTC") in accordance with An Act To Ensure Safe Access to Marijuana, c.55 of the Acts of 2017 (the "Act"), and all regulations which have or may be issued by the Department of Public Health and the Cannabis Control Commission, including, but not limited to 105 CMR 725.00 and 935 CMR 500.00, in locations suitable for such uses, which will minimize adverse impacts of RMEs and MMTCs on adjacent properties, residential neighborhoods, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of such uses.

B. DEFINITIONS

Any term not specifically defined herein shall have the meaning as defined in MGL c.94I, §1 and 105 CMR 725.00 implementing an Act for the Humanitarian Medical Use of Marijuana and MGL c.94G, §1 and the Cannabis Control Commission Regulations 935 CMR 500.00 governing Adult Use Marijuana, as such statutes and regulations may from time to time be amended.

1. "Recreational Marijuana Establishment" ("RME") shall mean a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business as defined in MGL c.94G, §1 or the Cannabis Control Commission Regulations 935 CMR 500.00.
2. "Marijuana Retailer" shall mean an entity licensed by the Cannabis Control Commission to purchase and deliver recreational marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer recreational marijuana and marijuana products to marijuana establishments and to consumers, as defined in MGL c.94G, §1 and the Cannabis Control Commission Regulations 935 CMR 500.00 governing Adult Use Marijuana.
3. "Medical Marijuana Treatment Center Dispensary/Retail" (MMTCDR) shall mean an entity registered by the Department of Public Health or the Cannabis Control Commission that acquires, transfers, transports, sells, distributes, dispenses, or administers medical use marijuana, products containing medical use marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers.
4. Medical Marijuana Treatment Center Cultivation/Processing" (MMTCCP) shall mean an entity registered by the Department of Public Health or the Cannabis Control Commission that cultivates, possesses, transfers, transports and/or processes medical use marijuana or products containing medical use marijuana and related supplies to qualifying Medical Marijuana Treatment Center Dispensary/Retail.

C. ELIGIBILITY

USE	ZONING DISTRICT
Marijuana Cultivator	Trade Park
Marijuana Product Manufacturer	Trade Park
Independent Testing Laboratory	Trade Park
Marijuana Retailer	Core, Transition Commercial
Medical Marijuana Treatment Center Dispensary/Retail(MMTCDR)	Core, Transition Commercial
Medical Marijuana Treatment Center Cultivation/Processing (MMTCCP)	Trade Park
Other Licensed Recreational Marijuana Establishment	Trade Park

1. RMEs shall conform to 935 CMR 500.000: Adult Use of Marijuana, in addition to any requirements herein.
2. MMTCs shall conform to 105 CMR 725.000: Implementation of an Act for the Humanitarian Medical Use of Marijuana, and any regulations which may be subsequently issued by the Cannabis Control Commission, as well as any requirements herein.
3. A Special Permit is required for all RMEs and MMTCs. The special permit granting authority shall be the Planning Board.
4. A Special Permit granted under this section shall have a term limited to the duration of the applicant's ownership or lease of the premises for an RME or MMTC, as licensed by the applicable Massachusetts licensing authority. Any new license for an existing RME or MMTC location or transfer of an existing license to a new owner of an RME or MMTC shall require a new Special Permit pursuant to the Eastham zoning bylaws.

D. APPLICABILITY OF REGULATIONS

1. The cultivation, production, processing, manufacturing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana is prohibited unless licensed by all applicable Massachusetts licensing authorities and permitted as a RME or MMTC under this section.
2. The number of any type of RMEs shall be limited to not more than two (2) of the same type of RMEs in Eastham.
3. On-site consumption of marijuana products at RMEs or MMTCs, as either a primary or accessory use, shall be prohibited unless permitted by a local ballot initiative process, as allowed by MGL 94G §3(b). The prohibition on on-site social consumption shall include private social clubs or any other establishment which allows for social consumption of marijuana or marijuana products on the premises, regardless of whether the product is sold to consumers on site.

4. Hours of operation for Recreational Marijuana Retailers and Medical Marijuana Treatment Centers shall not exceed the Alcoholic Beverages Control Commission (ABCC) maximum hours of operation for liquor licenses not to be drunk on premises pursuant to MGL 138 §15, but may be limited by conditions of the special permit.

E. GENERAL REQUIREMENTS

1. No RME or MMTC shall be located within 500 feet, as measured from each lot line of the subject lot, of the following pre-existing uses: K-12 educational use; childcare center; public park; playground; or children's camp.
2. Applicants for an RME or MMTC shall provide the licensing agent's approved security plan to the Police Chief and Fire Chief prior to the granting of a Special Permit.
3. An approved Host Community Agreement shall be required prior to the granting of a Special Permit for a RME or MMTC.

Or take any action relative thereto.

By Eastham Planning Board

Summary:

The Massachusetts Cannabis Control Commission will begin accepting applications for marijuana establishments, including: cultivators, retailers, product manufacturers, independent testing laboratories, and any other licensed marijuana establishment on April 1, 2018. The Town must adopt local zoning regulations in order to exert local control over the time, place, and manner in which these uses will be permitted in Eastham. Further, Massachusetts General Law Ch. 94G, Section 3 allows Towns to impose certain limitations on the number of establishments that may be permitted. The zoning articles developed by the Planning Board recognize these uses under the bylaw, identifies the zoning districts where they may be allowed by special permit, and imposes limitations on the number of establishments that may be allowed. A negative vote on this article will leave the Town without local zoning to regulate these uses. In the case of a negative vote, there will be no local limitation on the number of these uses permitted in Eastham, and the time, place and manner in which they may be permitted or located. Acceptance of this article will establish the core and transitional commercial area as the retail district and limit the number of establishments allowed to two.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

PLANNING BOARD RECOMMENDATION: 7-0

(2/3 Majority vote required)

ARTICLE 24 (Marijuana Tax)

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 64N, Section 3(a), as recently amended by Section 13 of Chapter 55 of the Acts of 2017, and to authorize the Town to impose a local sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment, at the rate of 3 percent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products; or to take any other action relative thereto.

By Board of Selectmen

Summary:

Along with the legislation that legalizes and regulates the sale of marijuana, there will be a sales tax imposed by the State of Massachusetts on retail sale of marijuana. If the Town accepts this article, we will be able to

add a 3% tax to the amount being collected by the State for any local store. This will create a new, non-property tax revenue stream for the Town.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: 7-1

(Majority vote required)

ARTICLE 25 (MEALS TAX)

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 64L, Section 2(a) and to impose a local sales tax upon the sale of restaurant meals of .75 percent of gross receipts; or take any other action relative thereto.

By Board of Selectmen

Summary:

The State imposes a meals tax for food & drink sold by restaurants. If the Town accepts this article, we will be able to add .75% to the current State Meals Tax. Local restaurants are already collecting the tax for the State and this will add to the amount, but not create any new burden for the restaurant. This local option tax has been accepted by every other Cape Cod town except Eastham. Our estimated revenue from this small tax will be \$130,000 per year. This will create a new, non-property tax revenue stream for the Town.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: 7-0

(Majority vote required)

ARTICLE 26 (PERMISSION TO LEASE TOWN PROPERTY)

To see if the Town will vote to transfer the care, custody, management, and control of the parcel of land identified as Map 8, Parcel 120, located at 255 Old Orchard Road, consisting of approximately 18.738 acres, from the Town Treasurer currently held for tax title purposes or from any other town board or officer having custody of the land, to the Board of Selectmen to be held for general municipal purposes and for the purpose of leasing; and further to authorize the Board of Selectmen to enter into a lease of said parcel of land for a term not to exceed twenty years, for energy storage purposes; and to further authorize the Board of selectmen to grant any easements that may be necessary in connection with said lease; or to take any other action relative thereto.

By Board of Selectmen

Summary:

The Town may have the opportunity to lease ½ acre or less of town property at the landfill and adjacent to the power lines, to a private or non-profit corporation for an installation of batteries that will collect energy from the grid and sell it back at peak demand times. The batteries will be in climate controlled storage containers in a fenced/secured area. The town will have no responsibility of the establishment or maintenance of the technology. The Town would have a lease agreement for the land and receive monetary compensation similar to the cell tower leases.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: 7-0

(2/3 Majority vote required)

ARTICLE 27/GENERAL BYLAW/ANIMALS

~~Strikethrough~~ = Language proposed for deletion

Underline = Language proposed for inclusion

To see if the Town will vote to amend the Eastham General Bylaw **ARTICLE II, CHAPTER 17, ANIMALS**, as follows:

1. Add a new Section 17-9(D), to provide as follows:

D. No person shall chain or tether a dog or confine a dog outside in the Town of Eastham, except as permitted in Massachusetts General Laws, Chapter 140, Section 174E, as may be amended from time-to-time.

2. Delete Section 17-2 in its entirety.

3. In Section 17-9(C), delete the portion shown in strikethrough below:

All dog owners, keepers or persons having control of a dog are responsible for immediately removing and disposing of, in a sanitary manner, all solid wastes produced by said dog on any property, other than the property of the dog owner. There shall be a zero tolerance policy towards the non-removal of solid dog waste; no written warning shall be given. ~~Any person who violates this provision of this bylaw shall be subject to the following penalties in addition to any other available penalty or remedy at law or in equity:~~

~~(1) First offense: \$50~~

~~(2) Second and subsequent offenses: \$100.~~

4. In Section 17-13, delete the existing language and replace it with the following:

§17-13. Violations and Penalties.

A. The Animal Control Officer or any police officer of the Town shall be empowered to enforce provisions of this Bylaw.

B. In addition to the remedies set forth in this Bylaw and in GL c. 140, §§136A to 174E, inclusive, including but not limited to GL c. 140, §157A, or any other applicable provision of law, this Chapter may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c. 40, §21D. If non-criminal disposition is elected, then any person who violates any provision of this Chapter shall be subject to the following penalties:

First Offense:	\$50 fine
Second Offense:	\$100 fine
Third Offense:	\$200 fine
Fourth and Subsequent Offense:	\$300 fine

C. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense. A separate offense is not limited to an offense within a calendar year from the first offense.

D. The Town may enforce this Chapter or enjoin violations thereof through any lawful process, and the election of one remedy shall not preclude enforcement through any other lawful means.

Or take any other action relative thereto.

Summary:

This article seeks to adopt recently enacted provisions of the General Laws which prohibit the chaining or tethering of dogs or their confinement outside, except under certain circumstances set forth in the statute. This article also seeks to consolidate into a single section the enforcement and penalty provisions for all

violations of Chapter 17 of the bylaws relating to animal control, clarifies the available enforcement mechanisms and increases the possible fines for third and subsequent offenses. If we do not adopt this provision of the State law, our animal control officer will not be able to enforce the provision.

BOARD OF SELECTMEN RECOMMENDATION: 4-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority Vote Required)

ARTICLE 28 (CPA REVENUE ALLOCATIONS)

To see if the Town will vote to appropriate and transfer, pursuant to the provisions of G.L. C44B (6) from the FY19 estimated community preservation revenues to reserves in the following amounts:

\$83,501 open space purposes, **\$83,501** historic preservation purposes **\$83,501** affordable housing purposes, **\$83,501** active recreation purposes and **\$501,002** to the FY18 Community Preservation budgeted reserve for appropriation, for a total of **\$835,006** as recommended by the Community Preservation Committee; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This annual article seeks to set aside 10% of the estimated community preservation revenue for open space, historic resources, and affordable community housing, and active recreation, with the remaining estimated revenue reserved for appropriation as required by G.L. Chapter 44B (6).

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 29 (CPA ADMINISTRATIVE EXPENSES)

To see if the Town will vote to transfer and appropriate \$ 41,750 from the Community Preservation Undesignated Fund Balance as allowed by law to cover administrative support expenses; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article transfers \$41,750 of Community Preservation Funds to the CPA committee for administrative purposes. The State Legislation permits up to five percent (5%) of all funds may be used for that purpose. Any unused funds each year revert to the Community Preservation Fund Balance.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 30 (CPA DEBT PAYMENT)

To see if the Town will vote to transfer the sum of **\$279,593** from the Community Preservation Undesignated Fund Balance for the purpose of paying debt payments for the following land acquisitions: Dyer Prince (Harris) Land Purchase **\$202,593** and the Aschettino Land Purchase **\$77,000**; or take any action relative thereto.

By Town Accountant/Community Preservation Committee

Summary:

These are yearly debt payments for open space purchases approved at prior Town Meetings. The State

Legislation allows for the principal and interest debt payments to be funded through the Community Preservation Fund, but requires that a separate article be voted each year of the long term debt payment.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 31 (CPA AFFORDABLE HOUSING EASTHAM AFFORDABLE HOUSING TRUST)

To see if the Town will vote to transfer the sum of **\$250,000** from the Community Preservation undesignated fund balance to the Eastham Affordable Housing Trust in support of housing assistance programs which may include a Rental Subsidy Program, a Housing Preservation Program, a Lease to Own Program and a Closing Cost Assistance Program or other programs deemed appropriate by the Eastham Affordable Housing Trust. Housing units created under any of the current and proposed affordable housing assistance programs would be subject to such terms and conditions which the Eastham Affordable Housing Trust may require, in order to ensure the long term viability of affordable housing units; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article will allow the Eastham Affordable Housing Trust to implement several housing assistance programs designed to meet current and future demands for assistance identified in the 2016 Eastham Housing Production Plan. The proposed programs are based on successful models utilized in neighboring communities. The overarching goal of these programs is to provide housing assistance to a broad base of the community.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 32 (CPA - AFFORDABLE HOUSING CAPE HOUSING INSTITUTE)

To see if the Town will vote to transfer the sum of **\$15,000** from Community Preservation undesignated fund balance to The Cape Community Housing Partnership for the purposes of funding the "Cape Housing Institute"; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary: The Cape Housing Institute delivers training programs to build public support for affordable housing and equip low and moderate income residents, businesses, community leaders, and local elected and appointed officials with the knowledge and skills to support the creation of more year-round housing.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 33 (CPA AFFORDABLE HOUSING CAMPBELL - PURCELL COMMUNITY HOUSING DEVELOPMENT)

To see if the Town will vote to transfer the sum of **\$450,000** from Community Preservation Affordable Housing Reserves and/or undesignated fund balance to Pennrose Properties LLC to assist in funding the construction of the "Campbell-Purcell Community Housing Development" a 65-unit affordable rental housing development located at 4300 State Highway, Eastham, MA and further to authorize the Board of Selectmen to

enter into a grant agreement with Pennrose Properties, LLC, which agreement shall require that Pennrose Properties, LLC, grant to the Town an affordable housing restriction on said property meeting the requirements of G.L. c. 184, Sections 31-33; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

The proposed "Campbell-Purcell Community Housing Development" will create 65 rental units including 15 units set aside for moderate income families earning up to 120% of Area Median Income (AMI). The remaining units will be reserved for households with incomes up to 60% of AMI. The units created by this development will provide a much needed supply of affordable housing to the community. The development has received a Comprehensive Permit from the Eastham Zoning Board of Appeals and has received funding from the Massachusetts Department of Housing and Community Development. This article will provide the funding necessary to complete the project approved by the Board of Selectmen and permitted by the Zoning Board.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 5-1

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 34 (CPA HISTORIC PRESERVATION EASTHAM WINDMILL)

To see if the Town will vote to transfer the sum of \$60,000 from Community Preservation Historic Preservation Reserve for expenditure under the direction of the Board of Selectmen for the purpose of preserving the Eastham Windmill; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article will provide funding to make necessary repairs to the Eastham Windmill. The Windmill was built in approximately 1680 and has been at its present location for 200 years. It is one of the most significant landmarks in the community and is a proud symbol of Eastham's history and heritage. The repairs will help preserve a vital town asset that contributes to the character of the community and is a major tourist attraction that draws visitors to Eastham which in turn helps support our local economy.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 35 (CPA HISTORIC PRESERVATION CHAPEL IN THE PINES)

To see if the Town will vote to transfer the sum of \$99,000 from Community Preservation Historic Preservation Reserve and/or Undesignated Fund Balance as a grant to the Nauset Fellowship, a nonprofit corporation, for the purpose of restoring and preserving the historical structure located on its property at 220 Samoset Road known as the "Chapel in the Pines"; and further to authorize the Board of Selectmen to enter into a grant agreement with said Nauset Fellowship, which agreement shall require that said Nauset Fellowship grant to the town an historic preservation restriction on said property meeting the requirements of G.L. c. 184 and upon such other terms and conditions as the Town Administrator shall deem appropriate; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article will provide funding to continue the restoration and preservation of one of the oldest and most historic properties in Eastham. The Chapel in the Pines is listed for eligibility on the National Register of Historic Places. The project is intended to restore and maintain the historic appearance of the Chapel. The

project will also improve handicapped access, ensuring that the facility is fully accessible for all members of the community. The Nauset Fellowship has raised over \$65,000 in support of this project and will seek to offset the use of CPC funding through additional fundraising efforts.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 36 (CPA ACTIVE RECREATION FIELD OF DREAMS PHASE 2)

To see if the Town will vote to transfer the sum of \$71,000 from Community Preservation Active Recreation Reserve and/or Undesignated Fund Balance, for expenditure under the direction of the Board of Selectmen for the construction of new recreational facilities or the repair of existing recreational facilities located at the Field of Dreams (rear of Town Hall); or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

The Field of Dreams is the Town's primary recreation facility. It provides multiple recreation activities for all age groups. The funds allocated in this article would be used to construct new storage sheds, install accessible dugouts for the baseball/softball fields, repair the irrigation system, and install new fencing and landscaping. The Eastham Recreation Commission has endorsed the proposal.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 7-0

(Majority vote required)

ARTICLE 37 (CPA HISTORIC PRESERVATION RANLETT TOOL MUSEUM)

To see if the Town will vote to transfer the sum of \$40,000 from Community Preservation Historic Preservation Reserves, to be expended as a grant to the Eastham Historical Society, a non-profit corporation, for the purpose of preserving a structure on its property at 2375 Route 6, known as the "Ranlett Tool Museum"; and further to authorize the Board of Selectmen to enter into a grant agreement with said Eastham Historical Society, which agreement shall require that said Eastham Historical Society grant to the town an historic preservation restriction on said property meeting the requirements of G.L. c. 184 and upon such other terms and conditions as the Town Administrator shall deem appropriate or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article will provide funding to make necessary repairs to the Ranlett Tool Museum. The museum houses a collection of historically significant artifacts. The building is constructed in the manner of early American farm barns and is part of the Swift-Daley historical complex which provides valuable insight to life in Eastham's past.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 5-1

COMMUNITY PRESERVATION COMMITTEE: 8-0

(Majority vote required)

ARTICLE 38 (CPA OPEN SPACE LAND ACQUISITION 390 LOCUST ROAD)

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase or eminent domain, a fee simple interest or less in, a parcel of land containing 1.623 acres, more or less, located at 390 Locust Road, Eastham and more particularly described in a deed dated October 17, 1969, recorded with the Barnstable County Registry of Deeds in Book 1453, Page 305 and shown as Lot 8B on a plan of land entitled "Plan of Land in Eastham being a division of Lot 8 as shown in Plan Book, 233 Page. 17 made for the *Estate of Julia C. Possel*," a copy of which is on file with the Eastham Town Clerk, to be held under the care, custody, management and control of the Eastham Conservation Commission for open space, conservation and passive recreation purposes, under such terms and conditions as the Board of Selectmen may impose; and as funding therefore to appropriate the sum of no more than **\$250,000** for the acquisition and other related costs associated therewith from the Community Preservation Open Space Reserve, said sum shall be reduced by the amount of any grants or gifts received pursuant to the provision of G.L. c.44B, sec. 11, G.L. c.44, sec.7 or any other enabling authority; and further to authorize the Board of Selectmen to grant to the Trustees of the Eastham Conservation Foundation, a perpetual conservation restriction on the property in accordance with the provisions of G.L. c.44B, sec.12 and G.L. c.184, sec.31-33; and further to authorize the Board of Selectmen and the Conservation Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts or any other grant programs; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This parcel has a high natural resource value, with vegetation consisting of mature native forest and portions of two vernal pools and their adjacent uplands. It is a buildable lot, which is currently for sale. The parcel is part of a "core habitat area", identified by MA Natural Heritage and Endangered Species Program (HHESP) as necessary to protect rare wildlife species and their habitats. It also directly abuts an existing 8.9-acre parcel of Town-owned open space and the Bike Path corridor. Its purchase would make the scenic and conservation value of them all collectively greater. If not purchased by the Town, it will be cleared for access and buildings, and the natural value and function of the vernal ponds and uplands degraded. Purchasing this parcel for conservation purposes will help protect wildlife habitat, groundwater resources and the Bike Path experience. This purchase will be made with CPA funds allocated for open space and will not involve any borrowing or additional taxes. In addition, private donations will be sought through the Eastham Conservation Foundation to potentially reduce the amount of CPA funds needed to complete the purchase.

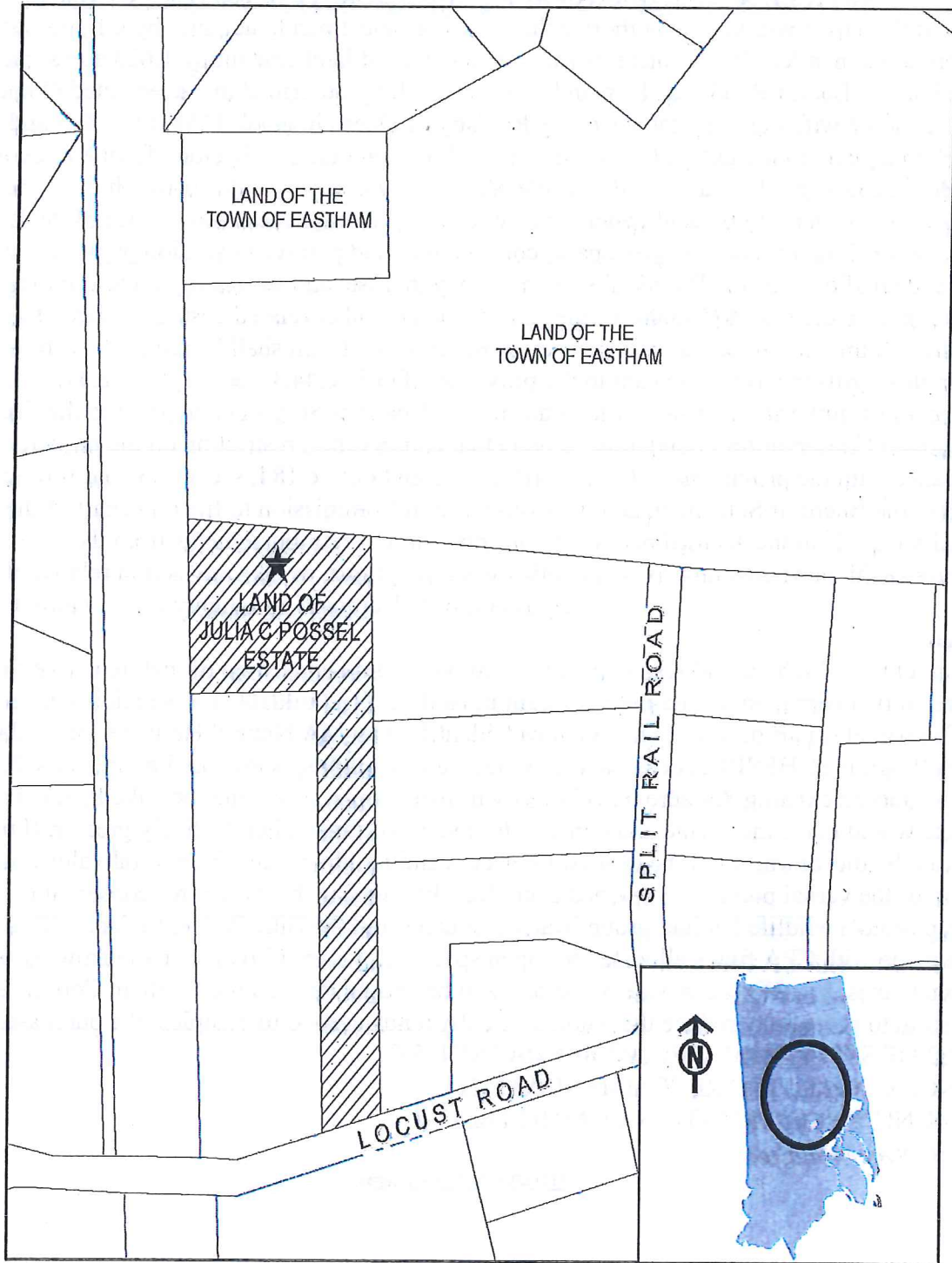
BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

COMMUNITY PRESERVATION COMMITTEE: 7-0

(Majority vote required)

(map on next page)



ARTICLE 39 (ENGINEERING/PERMITTING TO DREDGE NAUSET ESTUARY)

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$200,000, more or less, for the purpose of funding the engineering study and obtaining permits to dredge Nauset Estuary, including all costs incidental and related thereto; provided that said appropriation of funds shall be contingent on a positive vote to exempt the amount from the limitation on taxes under G.L c 59 Section 21C (proposition 2 ½ so called); or take any action relative thereto.

BY PETITION

SUMMARY BY PETITIONER

The Nauset Estuary is a body of water we share with the Town of Orleans. The amount of sediment that has filled in Nauset Estuary is impacting safe navigation. Dredging the Nauset Estuary was a past practice. The policy to abandon this method of maintain the Nauset waterway has created a risk to all boaters. This \$200,000, more or less, will be used to acquire permits and complete the engineering study with the Town of Orleans, who is currently invested in this project.

SUMMARY (Town's position): The total amount of money needed for this study and permitting process is estimated at \$410,000. The Town of Orleans has authorized \$336,000 for this purpose at their Town Meeting and entered into a contract with the Woods Hole Group to complete the study, engineering and permitting for the project.

BOARD OF SELECTMEN RECOMMENDATION: *Reserved to Town Meeting*

FINANCE COMMITTEE: RECOMMENDATION: 1-7 (*See report note on page 6*)

(*4/5 Majority vote required*)

ARTICLE 40 (UNIFORMITY OF TOWN RECORDS)

To see if the Town will vote to require that, by Town Meeting 2019, Town Administration will reconcile all property records to assure that property descriptions between the various town departments are in agreement. Additionally, that processes are established and implemented to assure that they remain in agreement.

BY PETITION

SUMMARY BY PETITIONER:

Differences in a real property's records (which describe a property's characteristics) between various town departments (particularly Assessing and Health) put both current Eastham and potential Eastham residents at financial risk as they may make improvement or purchase decisions with erroneous information. Additionally, these differences put the town at risk for significant costs due to legal actions that can be brought by individuals that have received erroneous property information. This article attempts to eliminate these risks by assuring the documents within the town are consistent.

SUMMARY (from Town Administration): While we understand that it is frustrating that public records do not always agree, there are several factors that prevent us from the kind of reconciliation ordered in this article. Most primary, the MA State codes that control building, sanitation, housing and assessing vary in definitions and requirements. In order for assessing records to be 100% accurate, all property owners would need to allow town staff to inspect the interior of their homes every 5 years, and realistically there can be changes between inspections. While we request interior inspection, many homeowners do not respond or deny access. This means Assessing Staff measures and inspects based on exterior inspection and existing floor plans. Property descriptions in the town files, especially building and health, change over time. It is important to keep the entire history of the property in the file, so this means that there may be plans for a 2 bedroom that grows into a three bedroom, and septic plans that are for a three bedroom but the lot size only allows a 2 bedroom. It is very often not a simple matter and takes time to sort out. We do not always want to demand engineered or architect drawn plans for simple building project, so have a variety of types of drawings and plans and as-built plans that vary in quality. Town staff is always trying to reconcile records and has some

ability to do this upon a property transfer, failure of a septic system, housing complaint or other regulatory issue, but unfortunately, we need to continue to rely on the efforts of homeowners, realtors, and developers/installers to provide correct information to the Town (so that records are accurate) and convey accurate information to their clients/buyers. For FY19, we are continuing to place more records on-line and develop uniform software that shares information. We have invested in town-wide GIS systems, and by the end of next year, building, water and health records will be on the same searchable platform. The plan is to add to this data base each year. I will direct staff to assess the cost/resources needed to create a process by which we can actively keep records in agreement and also educate homeowners, buyers and sellers on where to look and what to look for in making decisions about what can/cannot be done to a property. We are more than willing to work with the petitioner in addressing these concerns.

BOARD OF SELECTMEN RECOMMENDATION: 4-1

FINANCE COMMITTEE: RECOMMENDATION: 6-0

(Majority vote required)

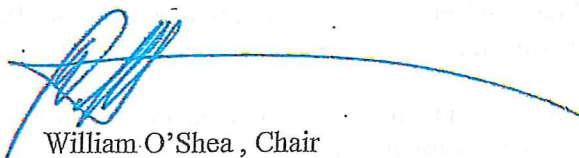
ARTICLE 41

To see if the Town will accept the published reports of the Town officers as printed and made available to the public in the 2018 Town of Eastham Annual Report, and to hear any unpublished reports of committees and to do or act on anything which may legally come before this meeting.

You are directed to serve this Warrant by posting attested copies thereof at the Post Office in Eastham and North Eastham fourteen days at least before the date of holding said meeting.

Hereof, fail not and make due return of this Warrant and your doings thereon to the Town Clerk at the time and place of holding said meeting.

Given under our hands and seals this 20th day of April in the year of our Lord, Two Thousand and eighteen.



William O'Shea, Chair



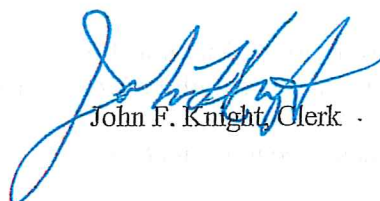
Wallace F. Adams, Vice Chair



Martin McDonald



Aimee Eckman



John F. Knight, Clerk

BOARD OF SELECTMEN

Greetings:

In a pursuance of the conditions of the foregoing warrant, I have posted attested copies, one each at the Post Office in Eastham and North Eastham fourteen days before time of said meeting.

Constable



A True Copy Attest:



Sue Fischer, Town Clerk

PROCEDURES FOR TOWN MEETING

In accordance with Section C2-8. B of the Eastham Town Charter, the following procedures will be followed:

1. A registered voter wishing to speak at Town Meeting shall proceed to one of the microphones. Once recognized the voter shall give his or her name and address, speak to the question for not more than three minutes, and shall not speak again until all those wishing to speak thereon have done so. Persons making articles and demonstrations are exceptions to this rule.
2. Non-voters who wish to address Town Meeting and have identified themselves in advance to the Moderator may only speak if permitted by majority consent of voters.
3. Registered voters will be seated first. Additional seating for non-voters may be available only after the Town Clerk has determined that there are an adequate number of seats for all registered voters in attendance. **Voters who sit in the Non-Voter Section cannot vote.**
4. Discussion on each article shall terminate when no one wishes to speak or the discussion becomes redundant in the opinion of the Moderator or a motion to call the question is approved.
5. Votes may be taken by voice (Majority to be determined by the Moderator), by a show of hands or by electronic devices. Articles requiring a 2/3 vote will be by hand count or electronic device count, at the Moderator's discretion, unless unanimous. If seven Town Meeting members question a voice vote, the Moderator may then choose an alternative counting method.
6. An article may be reconsidered on the same day, no more than sixty (60) minutes from the time the vote on such article is declared by the Moderator. The Town Clerk's minutes shall record such times.
7. TOWN MEETING TIME, A Handbook of Parliamentary Law, Third Edition, 2001, is the Eastham Town Meeting parliamentary handbook.

The only persons allowed in the foyer at Town Meeting will be Registrars, Checkers and voters.

Persons with handouts of any nature must be outside the building or in a designated area.

**PLEASE BE COURTEOUS
ALLOW EACH SPEAKER TO PRESENT THEIR IDEAS WITHOUT INTERRUPTION.**